

Toward Transformative Justice

**A Liberatory Approach to
Child Sexual Abuse and other forms of
Intimate and Community Violence**

**A Call to Action for the Left and the
Sexual and Domestic Violence Sectors**

June 2007



Section 2: Principles of Transformative Justice

We believe Transformative Justice is necessary to adequately address and prevent child sexual abuse. This is a visionary political project—a practice-driven experiment in reinventing our relationships, our conditions, and ourselves.

Given the State’s inability to provide justice on either individual or collective levels, we at Generation FIVE work to address both the personal and the political realities of child sexual abuse. This means addressing the rights, needs, and interests of those affected by child sexual abuse as well as the social conditions that allow child sexual abuse to continue.

Transformative Justice moves us toward equity and liberation rather than maintaining the current systems of retribution and punishment. By interrupting cycles of violence and abuse, Transformative Justice builds upon legacies of resilience and resistance.

The Transformative Justice politic is a way to politically *and* practically do the following:

- ▶ Address incidents of child sexual abuse.
- ▶ Prevent child sexual abuse by addressing the social conditions that perpetuate & are perpetuated by child sexual abuse.
- ▶ Build collective power for liberation through addressing the inequity and injustice happening within communities.
- ▶ Build capacity of individuals and collectives to address larger conditions of inequality and injustice and to challenge State violence.

The term “Transformative Justice” emerged out of two years of discussions with our partners and allies. The term best described our dual focus on securing individual justice in cases of child sexual abuse while transforming structures of social injustice. We imagine Transformative Justice as an adaptable model that can and will address myriad forms of violence and the systems of oppression that violence enables.

2.1 Goals and principles of Transformative Justice

The Transformative Justice approach to child sexual abuse challenges people to integrate their emotional and political commitments to justice. Transformative Justice seeks to provide survivors with immediate safety and long-term healing and reparations while those who sexually abuse children accountable within and by their communities. This accountability includes stopping immediate abuse, making a commitment to not engage in future abuse, and offering reparations for past abuse. Such offender accountability requires community responsibility and access to on-going support and transformative healing for offenders. Beyond survivors and offenders, Transformative Justice also seeks to transform inequity and power abuses within communities. Through building the capacity of communities to increase justice internally, Transformative Justice seeks to support collective action toward addressing larger issues of injustice and oppression.

The goals of Transformative Justice as a response to child sexual abuse are:

- ▶ Survivor safety, healing and agency
- ▶ Offender accountability and transformation
- ▶ Community response and accountability
- ▶ Transformation of the community and social conditions that create and perpetuate child sexual abuse, i.e. systems of oppression, exploitation, domination, and State violence.

The remainder of this section discusses the key principles of Generation FIVE’s Transformative Justice approach: liberation, shifting power, safety, accountability, collective action, honoring diversity and sustainability.

We intend these principles to act as a guide for all of Generation FIVE’s work and the development and application of Transformative Justice models. They are critical to assuring that Transformative Justice does not recreate the oppressive dynamics of public systems and

instead aligns with social justice and liberation. The following principles have been developed overtime through conversations with, running case studies that reflect the communities of, and prevention work of Generation FIVE activists and collaborative partners in the Bay Area, New York City and Atlanta. Mimi Kim of Creative Interventions was part of the drafting team for several round of edits on the principles.

2.2 Liberation

Liberation is central to the political project of Transformative Justice. We envision relationship, communities, and society liberated from the intergenerational legacies of violence and colonization. Efforts to secure individual and personal justice in cases of child sexual abuse must also work for this vision of social justice and political liberation.

The application of Transformative Justice centers the principle of liberation by addressing current manifestations of multiple, intersecting forms of intimate, community and State violence. Rather than assign narrow blame on individualized “criminals,” the Transformative Justice model seeks to expand the very notion of who is responsible by mobilizing bystanders, challenging collusions with power, and situating individual interventions in the larger context of social justice movement. We seek methods of attaining justice that challenge State and systemic violence rather than attempting to reform or re-direct it. Our task is to create conditions of cooperation, respect, self-determination, and equitable access to resources while building community-based institutions operating within values and practices that make possible a world without child sexual abuse.

Thus, when we name liberation as a guiding principle of this work, we mean that a critical feature of a Transformative Justice approach to child sexual abuse is that it seeks to build the capacity of organizations, communities, and

intimate networks to respond to the needs of individuals and relationships within a broader liberation politic. We envision our organizations and movements supporting the healing, accountability and transformation of individuals and relationships while engaging people in collective action to challenge the conditions of oppression and violence experienced by communities. As we increase our capacity to transform the histories of violence and oppression that play out in our relationships and cultures, we believe our effectiveness, visions, and hope will grow.

2.3 Shifting power

Transformative Justice challenges definitions of power based on domination, exploitation, violence, privilege, and entitlement. Instead, we seek to build power and forms of shared power based on equity, cooperation, and self-determination.

In a Transformative Justice intervention, we will need to shift power from those who sexually abuse children and the power that supports their behavior to survivors, allies, and the Collective aligned with a Transformative Justice approach.

Transformative Justice responses seek to shift power away from those individuals, community institutions and systems that aim to maintain oppression toward individuals, collectives, and community and alternative

institutions that promote Transformative Justice and liberation. Specifically, in a Transformative Justice intervention, we will need to shift power from those who sexually abuse children and the power that supports their behavior to survivors, allies, and the Collective aligned with a Transformative Justice approach.

Historically, survivors’ experiences have been silenced to maintain the arrangements of power that characterize abuse and/or avoid conflict within families or communities. A key component of shifting power is to support the self-determination of survivors. In practice, this means supporting a survivors’ decision to challenge, prevent, or respond to a violation intended to take their power. At the same time, because Transformative Justice is a community

intervention model, it is important to stress that the survivor alone does not have the sole responsibility of determining what justice will look like.

A survivor's safety must never be compromised for the comfort of a family or community, or in order to avoid potential conflict that addressing violence might surface. For interventions in child sexual abuse, this is especially important because in the case of current incidents, the immediate survivor is a child. Given the power relationship between children and adults, children cannot be responsible for surfacing and then making decisions about how to intervene and prevent child sexual abuse and other forms of violence. Yet, we honor the voices, experiences, and rights of children and challenge the adultism that denies children their age-appropriate self-determination while supporting their development toward finding their power.

We see the responsibility for intervening in and preventing child sexual abuse and other forms of violence to be our collective responsibility. More broadly, no matter what the age of the survivor, we do not believe intervention and prevention should be solely the responsibility of survivors. However, there may be times when the desires of any given survivor contradict our political commitments. Such times require supporting the power and self-determination of the survivor in a way that does not compromise our political commitments.

An example of this might be that the (adult or child) survivor does not want to address child sexual abuse and would rather "move on." On the other hand, the community may feel it is critical to confront the offending behavior in the interests of the safety of other children and the community. Thus, supporting the survivor's safety and their self-determination while moving toward broader transformation and collective self-determination might mean that the survivor is not involved in the intervention themselves. It could mean that they remain informed about the intervention but not involved. Either way, Transformative Justice requires that the survivor's interests be central to an intervention and

prevention plan; however, in the aforementioned case, intervention is happening on behalf of the survivor but in the interest of the Collective.

Child sexual abuse is an attack not only on its survivors but on our collective safety, values, politics, and commitments. Therefore, we collectively have a vital stake in intervention. Collective responses support broader shifts in power toward equity within intimate and community relationships and networks. The voices, experiences, and leadership of all those who share this vision are required if we are going to shift power and transform our relationships, families, and communities as we address and prevent the violence in our lives.

2.4 Safety

We understand safety as liberation from violence, exploitation, and the threat of further acts of violence. The safety that we seek manifests on three intersecting and mutually reinforcing levels. On an individual level, a survivors' safety from immediate violence and the threat of further acts of violence (sexual, economic, etc.) is central. For the community, safety comes from fostering community norms and practices which challenge violence and support conditions for liberation. Lastly, across communities and collectives, safety means mutual accountability, challenging power dynamics within and between groups, guarding against backlash, and building strong alliances so that we can collectively support and protect each other from interference and targeting by the State.

We recognize that absolute safety is not something that we can guarantee people. Resistance to abuses of power and exploitation—in both individual and collective manifestations—will inevitably require some risk to our safety. However, taking these risks are essential to transforming our relationships, communities, and movements. Risks are also an act of courage and self-determination when taken on with full consciousness of both the consequences and the potential for liberation.

We realize safety is relative. Engaging in Transformative Justice means that individuals and collectives may risk the short-term safety that

accompanies not challenging or colluding with violence. But, in the long run, we believe taking these risk will lead us closer to long-term liberation from abuses of power, exploitation, and oppression. However, the decision to take these risks can only be made by those individuals and communities most likely to suffer the consequences of inaction—not by those less impacted.

We are committed to developing new practices that we believe will bring about safety and justice. We must consciously and consensually take on this experiment. As we engage in Transformative Justice-based models of resistance and intervention, we will gain experience, evaluate, and revise our practice. We do so in the service of our vision and in the struggle for liberation.

2.5 Accountability

Accountability is not only a critical mechanism of justice; it is a powerful tool of transformation. We hold ourselves individually and collectively accountable for transforming oppressive and abusive dynamics that prevent us from being in integrity with and realizing our visions of justice.

People that commit violence are not born that way; they are created by their histories and given permission by the inequitable practices and arrangements of power within the society in which we live. Accountability in relationships means we are willing to interrupt problematic behaviors or dynamics and then support a process for transforming those behaviors. Accountability at a minimum requires:

- ▶ Acknowledging the harm done even if it is unintended;
- ▶ Acknowledging its negative impact on individuals and the community;
- ▶ Making appropriate reparations for this harm to individuals and the community;
- ▶ Transforming attitudes and behaviors to prevent further violence and contribute toward liberation;
- ▶ Engaging bystanders to hold individuals accountable, and toward shifting community institutions and conditions that perpetuate and allow violence; and

- ▶ Building movements that can shift social conditions to prevent further harm and promote liberation, including holding the State accountable for the violence it perpetrates and condones.

Transformative Justice interventions seek concrete accountability from individuals who are violent. Simultaneously, they engage bystanders and build community responsibility for creating conditions that provide opportunities for accountability and change.

Transformative Justice interventions seek accountability from bystanders for their collusion with violence while having compassion for their own histories and relationships of dependency, fear or love of the people they allowed to sexually abuse children that they know. The goal of this process is moving a non-protective bystander toward taking action to stop violence, creating accountability, and engaging in the transformation of abusive power dynamics.

Transformative Justice needs mechanisms of leverage and influence in order to ensure short and long-term accountability. These mechanisms may include: community relationships and identity, sanctions, monitoring agreements, consequences for non-compliance with agreements, etc. Different contexts will call for different methods and mechanisms. Different levels of concern about the behavior, likelihood of re-offending, ability to mobilize support for abusive behavior, and commitment to transformation will call for different accountability methods and mechanisms. Mechanisms have to evolve as the process and demonstration of accountability by the person who was abusive shifts. Ensuring immediate safety and long-term accountability may at times require self-defense by individuals or communities. This could take the form of force or removal, which we see as distinct from violence or oppression.

2.6 Collective action

One of the central aspects of child sexual abuse, perhaps more than any other form of violence, is the isolation the abuse occurs within and creates. Thus, a key principle of a Transformative Justice approach must be to break

this isolation and build collective action to secure individual justice in cases of child sexual abuse while transforming structures of social injustice that perpetuate such abuse.

This principle invites people to build with others when taking responsibility and action to address child sexual abuse. However formally or informally such collective action is constituted, it is important to remember that a Collective does not have to be a geographic entity, but rather shares a set of practices, values, beliefs, culture, politics, experiences, history, geography or relationships through which “belonging” to the group is established.

Transformative Justice breaks the isolation of individuals, which is created by violence, and which promotes further violence. Transformative Justice moves toward collective responsibility and action to challenge oppressive relations of power and to create community spaces that support liberation while building the capacity and self-determination of individuals to fully participate in collective liberation.

Building collective action, the results of collaborative alliances and movements, can also protect us from backlash. An individual or small collective of people implementing intervention or prevention without broader support can be vulnerable to targeting by the same powers used to perpetrate or collude with abuse. Even in the absence of such targeting, an isolated collective is unlikely to be able to sustain the emotional and political pressures of engaging in Transformative Justice work over time.

By building collective action, we demonstrate our commitment to challenging the targeting of other communities. We build powerful movements that will ultimately be capable of challenging the violence and abuse of the State.

2.7 Honoring diversity

Transformative Justice approaches should respond to the historic, cultural, geographic, or population-specific experiences and needs of the community in which they are implemented. We are committed to creating cross-community or cross-national Transformative Justice standards and mechanisms for support and accountability that continue to be responsive to local, evolving needs. An example of a standard might be that those working within a Transformative Justice framework never leverage racism, sexism, homophobia, ableism, or classism to mobilize a community to hold someone who sexually abuses children accountable.

Although effective Transformative Justice approaches will challenge cultural norms that support abuse, shifting cultural norms does not mean rejecting cultures wholesale, or labeling some cultures more ‘civilized,’ moral, or salvageable than others. We honor the role of culture in supporting and transmitting legacies of resilience and resistance.

Our commitment to collective self-determination toward liberation requires that we support those in closest relationship with the community providing leadership toward addressing violence. Such leadership is in the best position to assess the consequences and potential of any intervention and prevention work. This leadership will also be able to better mobilize intimate and community networks

toward taking the consensual and necessary risks to implement Transformative Justice.

Although effective Transformative Justice approaches will challenge cultural norms that support abuse, shifting cultural norms does not mean rejecting cultures wholesale, or labeling some cultures more ‘civilized,’ moral, or salvageable than others. We honor the role of culture in supporting and transmitting legacies of resilience and resistance.

We believe that cultural traditions can be shifted by those within the culture and reoriented toward the liberation of those who share and practice it.

Cultural relativism can be a setback and a dangerous argument. Cultural relativism manipulates the value of cultural diversity and integrity for the sake of preserving traditional arrangements of power that are harmful. Cultural relativism assumes that culture is static and that there is danger, rather than liberation, in the shifting of traditions. It assumes that harmful practices were inherent to the culture rather than imported or a reflection of abusive relationships of power. People with different agendas can use relativist arguments to justify and minimize violence, harm caused, intent, and willfulness of actions.

Those in the best position to challenge cultural relativism are those who are part of the culture in which the practices or behavior take place. Attempts to challenge cultural practices by people outside of the community or culture can result in defensiveness. This can make it more difficult for those inside of the community who want to challenge harmful practices, as their activism is likely to be interpreted as betraying, rather than improving, the community.

As we develop collective, community-based processes of Transformative Justice, we are committed to maintaining their flexibility and responsiveness in order to prevent community definitions and processes from becoming rigid, administrative bodies akin to those of the State.

2.8 Sustainability

We have a responsibility to create intervention and prevention strategies that are sustainable over time and throughout the transformation process. Generation FIVE, or any group supporting Transformative Justice-based interventions, must be conscious and transparent about the support we offer and the limitations of what we can provide at any given stage in an intervention. We must also recognize the long-term challenges of building Transformative Justice approaches, processes, and alternative institutions. Like any organizing project, we seek to build the internal capacity of intimate and community networks and collectives toward this sustainability.

Transformative Justice models need to plan for the sustainability of their responses. They must be able to support survivor safety and healing, maintain ongoing accountability and transformation for people who abuse, build bystander and community accountability, and redefine community and social norms.

Various resources—financial, emotional, political, and material—will be necessary to sustain Transformative Justice responses and organizing. This might include such things as:

- ▶ Strategic relationships
- ▶ Methods of individual and collective healing
- ▶ Mechanisms of accountability
- ▶ Organizational and community infrastructure to support collective action
- ▶ Opportunities for individual and collective consciousness-raising or political education
- ▶ Strong internal commitments to the collective and the larger process

Different communities have different relationships to State resources, institutions, violence, and support. Their access to alternative options other than the State may vary. For example, families with more resources can afford therapy to address sexual abuse rather than engaging with the State. People without any community support to challenge their experiences of violence may see the State as their only resource.

In the face of the devastation and urgency caused by violence in our lives, it can be difficult to do the work in ways that are sustainable. However, we believe the work itself can sustain us if we build support through collective action—with the vision of immediate safety and transformation over time.