

# MIKLAT

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**a transformative justice zine**

created by Lewis Wallace and Micah Bazant

as a companion to the art installation MIKLAT MIKLAT

at Dirtstar 2011 and the National Queer Arts Festival



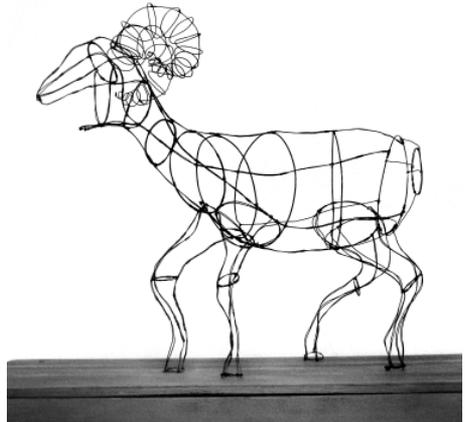
**“Then he shall take the two goats and set them before G-d at the entrance of the tent of meeting... Aaron shall lay both his hands upon the head of the live goat and confess over it all the iniquities and transgressions of the Israelites, whatever their sins, putting them on the head of the goat; and it shall be sent off to the wilderness.” (Vayikra 16:6-21)**

The Torah describes an ancient ritual performed on Yom Kippur, the Day of Atonement, involving the sacrifice of two goats<sup>1</sup>. One goat was marked for G-d, and was cleansed and ritually sacrificed to G-d in the Temple. The High Priest lay his hands on the other goat, the one marked for Azazel<sup>2</sup>, and imbued it with all the transgressions of the community. This goat was then released into the wilderness, or, according to some descriptions of the ritual, pushed off the edge of a high cliff to die a stony death on the rocks below. This ritual goat is the basis of our modern concept of the scapegoat.

We have seen these sorts of rituals happen many times in our communities. On a small scale, people designated as transgressors or scapegoats are pushed out into the wilderness. We also push parts of ourselves into the wilderness or off the cliff in order to atone for

doing “wrong.” On a broader scale in the U.S., the prison-industrial complex makes scapegoats out of entire communities—poor people, people of color, immigrants, women, people with disabilities, queer and gender non-conforming people. This scapegoating is socially sanctioned and the idea that it increases safety is broadly accepted.

Scapegoating may give an impression of a cleansed, pure or “safe” community, but what happens to the goat? And what about the memories—the unhealed wounds and unspoken transgressions of the whole community—that the goat takes with it over the edge of the cliff?



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1 A similar ritual is described in Syrian texts from the 24<sup>th</sup> century B.C., and other ancient texts from the Mediterranean and the near East.

2 “Azazel” is alternately understood to refer to a rocky cliff or to a mystical wilderness demon.

**“And direct roads were made leading from one to the other. It is taught: Rabbi Eliezer ben Jacob says that the words “miklat miklat” (refuge refuge) were inscribed at the parting of the ways so that a murderer might notice and turn in that direction.” (from the Talmud, Makkoth 10b)<sup>3</sup>**

The Torah also describes six Cities of Refuge or Ir l'Miklat. Miklat means refuge, but its three-letter root has two other meanings: absorption and integration. The Talmud tells of road signs in biblical times that pointed towards Cities of Refuge, allowing people who had transgressed or been put out of their community of origin a place of refuge, absorption and integration. The Miklat can also be understood as an internal, spiritual process—of shedding an old self, being absorbed into a new worldview, and seeking a more esoteric form of refuge. It can also be understood in more concrete terms, as a city that accepts “transgressors” of all kinds into its walls, forgiving transgression and providing safety from punishment.

As an artist and an anti-prison activist who share a mystical bent, we both got interested in the idea of the City of Refuge as it relates to transformative and restorative justice.

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Transformative justice is difficult to define. We understand it as a vision for community-based forms of justice based on support, healing, and accountability. As in restorative justice models, the focus is on integration and healing—of both those who do harm and those who have been harmed—through consensual models that do not depend on punishment and retribution. But transformative justice does not depend only on individuals—it depends on political transformation and tries to analyze and change the conditions that lead to violence and harm in the first place. Our challenges to scapegoating, isolation and retribution in our selves or our communities will be more effective when they go hand-in-hand with political struggles against the creation of scapegoats, against the root causes of oppression and marginalization and violence (patriarchy, capitalism, racism...). The healing of transformative justice is not just individual, but collective; it is intertwined with the empowerment of groups of people to change the conditions they/we live in.

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3 “In the Talmud we learn that in Biblical times, road signs pointing to the nearest city of refuge were liberally scattered throughout the Land of Israel [sic]. Each sign had two words: Miklat Miklat. The numerical value of miklat is 179 (a prime number). The value of 2 times miklat is 358, the numerical value of ‘Mashiach.’ So we see that the road sign pointing to the city of refuge actually points one toward a new, Messianic consciousness.” —From “Torah as City of Refuge”, a lecture by Rabbi Yitzchak Ginsburgh, an authority on Jewish mysticism and also a criminal under international law as an ideological settler on Palestinian land.

Transformative justice, for us, is about individually, interpersonally, and systematically building Cities of Refuge, Miklat, and then inviting the scapegoat inside the city.

To us, envisioning Cities of Refuge begins as a series of questions: Where do Cities of Refuge exist now? Where do we see scapegoats, people demonized as individuals or groups? What would the world look like if neither violence nor exclusion were acceptable or assumed? What if we knew how to respond to violence in a way that encouraged healing and integration? What if there was not a scarcity of healing to go around? What is the connection between personal transformation and political transformation? What if exclusion, imprisonment, violence, sexual shaming, and all forms of scapegoating were not deemed acceptable responses to transgressions? What if the scapegoat were accepted into the City of Refuge?

Transformative justice is a vision for the future but it is also a real movement that is underway today. Driven by the racism and inherent oppressiveness of the U.S. criminal legal system, possibilities for transformative justice as a strategy of response have long been underway, from individual and interpersonal forms of resistance to small collectives to concrete interventions in the criminal legal system. Indigenous communities native to this land have also struggled to protect integrated models of justice perpetually threatened by European-American colonization, and have given the restorative justice movement much of its fundamental knowledge.

As a vision and a strategy, transformative justice is inherently flexible and we think that is part of its beauty and complexity. It can't be imposed systemically on a community; it is an impulse to healing and justice driven by a community and created from the ground up. In order to illustrate the possibilities for Cities of Refuge and transformative justice it feels appropriate to us to focus not on nailing down what transformative justice is, but on where it is—to locate examples of Miklat within ourselves and within others' stories.

This 'zine provides ten examples or bits of food for thought—not examples that will answer all of your questions about transformative justice, forgiveness, and social transformation, but examples that raised questions for us as we thought about and tried to locate Miklat in our own lives. Some of them are sad, some are ambiguous, some are stories of failure, and some are examples of concrete organizing towards transformative models of justice. The examples here also suggest some of the problems; for survivors of violence, even systemic restorative programs such as South Africa's Truth and Reconciliation Commission have not gone far enough in changing conditions or in supporting their heal-

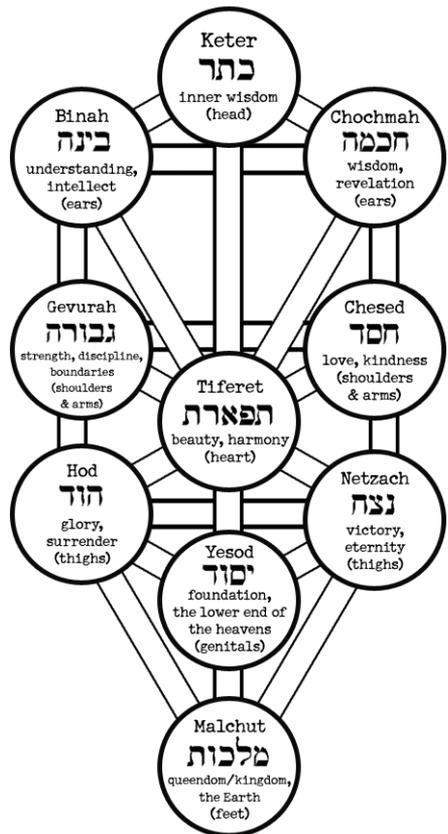
ing from past harm. We also noticed that in the mainstream media, most of the stories we could find about restorative approaches to violence focus on the process of individuals forgiving strangers who perpetrate violence and say nothing of far more common forms of systemic violence, anti-queer violence, or intimate or family violence. We encourage you to add your own stories, anecdotes, and examples to the ones we suggest here. Special thanks are due to Mariame Kaba of the Prison Culture blog and to Creative Interventions for providing such incredible stories.

We have both realized over time that refuge, Miklat, is a place that can be located within our selves, a body experience as well as a social and political one. We reflected on the simultaneously internal and external nature of searching for and creating Cities of Refuge. Most importantly we want to encourage you to think about what Miklat is in your own life or community. Where and what is safety or refuge for you? Where and what is forgiveness? Where do your own transgressions go? Are they placed on a scapegoat, confessed, never told, faced over time?

This project also makes use of traditions of Jewish numerology as a mystical way of drawing connections and gathering meaning. In the Torah section concerning Miklat or Cities of Refuge, the word Miklat is mentioned ten times. Ten is also the number of Sephirot in Jewish mysticism. The Sephirot are different qualities or emanations of the holy, channels of the divine force, and parts of a spiritual body, and the different Sephirot align with different parts of the body. We are using the ten Sephirot here as locations/guides for examples of the creation of Cities of Refuge, internal and external.

Enjoy.

—Lewis Wallace and Micah Bazant



## **Restorative Justice—A Native American Perspective**

**by Ralph P. Brown.**

<http://EzineArticles.com/3794472>

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Imagine for a moment that you come down with a cold or the flu and, upon seeing this, your neighbors and fellow citizens have you arrested and thrown into jail. Shortly after your arrest, you go before a judge and jury who label you “criminal” and “deviant” for having stepped outside of social norms. They send you to prison where you sit for years, even perhaps after the illness has passed.

You may be saying, “Thank God this is only hypothetical and could never happen in an intelligent civilization,” but guess what? It is happening. And not in some far-off country with an evil dictator. It is happening here in America.

No, not for the physically ill but for those who suffer from psychological and sociological imbalance. These mentally and spiritually ill people have been filling this country’s prisons for hundreds of years.

It is strange to me that some of the very people that would be shocked and appalled at the idea of throwing a cancer patient in prison for treatment would be the same person who would holler for more prisons and longer sentences in the case of psychological illness.

### **The Cuyahoga River**

As a country, the whole idea of what illness truly is and isn’t needs an overhaul. Some people may remember back in 1969 when the Cuyahoga River caught fire as a result of the pollution that was being dumped into it. The citizens began fist-pounding

and sign-waving for the city or state to do something! Where were these people when the first sewer pipe was installed? Where were they when frogs were being born with two heads and five legs? Where were they when no fish could live in the river?

Why do we wait until the house has burned down before calling the fire department? The time to call the doctor is not after the person is dead and buried.



## **Spirit Sick**

In Indian tradition it is believed that a person who steps outside the boundaries of social norms is “spirit sick”. He is out of balance with the harmony of the circle and, because he is sick, he is treated - not punished.

A criminal is not something you are, it is a choice that you make and, therefore, something that changes with our choices. In earlier times, our Medicine people would work with this person in what was sometimes referred to as a “Peace Village”, working to restore “right thinking” that would result in that person making higher choices in the future.

The difference between punitive thinking and a retributive system and that of the native Peace Village is that in the Peace Village, people - all people - have a place in the circle of life. They have inherent value. Not only was it preferable to restore that person so that he was a contributing source to the social whole, it was necessary. It was understood that the evil spirit inside a person could, in fact, be made stronger and have a far more devastating effect on the community if not treated.

Evidence of this can be found in any prison anywhere in the world. Which spirit is nourished? The good ones or the evil?

It is more realistic to expect good things from a person who feels valued and a part of society than it is from someone who is treated inhumanely, in an unnatural and humiliating way and feels like he has no place in society, or a stake in its well-being.

## **Change the Way You Look at Things**

Dr. Wayne Dyer said, “When you change the way you look at things, the things you look at change.” It is not until society changes the way it views illness and the current response to it that we can begin to work on a solution. It is not until we begin to see all people as valuable and not disposable that we can see them as coming from God and deserving to be treated as such.

I am the first to agree that there are people who need to be prevented from hurting and preying upon others but we can do this in a way that lends itself towards the restoration of that person. A better way exists and we don't need to wait for the river to catch fire before we act!

“We judge others by their actions. We judge ourselves by our intentions.” —Chinese proverb

## **Excerpt from Recovering the Sacred**

**by Winona La Duke**

(Cambridge, Mass: South End Press, 2005), page II

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“How does a community heal itself from the ravages of the past?...I found an answer in the multifaceted process of recovering that which is ‘sacred.’ This complex and intergenerational process is essential to our vitality as Indigenous peoples and ultimately as individuals...What qualifies something as sacred? That is a question asked in courtrooms and city council meetings across the country. Under consideration is the preservation or destruction of places like the Valley of the Chiefs in what is now eastern Montana and Medicine Lake in northern California, as well as the fate of skeletons and other artifacts mummified by collectors and held in museums against the will of their rightful inheritors. Debates on how the past is understood and what the future might bring have bearing on genetic research, reclamation of mining sites, reparations for broken treaties, and reconciliation between descendants of murderers and their victims. At stake is nothing less than the ecological integrity of the land base and the physical and social health of Native Americans throughout the continent.”

### **Antonette’s Story**

**from a BBC News Special Report on South Africa’s Truth and Reconciliation Commission, October 29, 1998**

[http://news.bbc.co.uk/2/hi/special\\_report/1998/10/98/truth\\_and\\_reconciliation/203132.stm](http://news.bbc.co.uk/2/hi/special_report/1998/10/98/truth_and_reconciliation/203132.stm)

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Many black South Africans have been left disappointed with the achievements of the Truth Commission and the process of reconciliation it was meant to bring about.

Antonette Sithole is one person who remains haunted by memories of a period in South African history she would rather forget. In 1976, she found herself in the midst of a student demonstration that came to be known as the Soweto uprising, which led to one of the great crimes of the apartheid era.

It began as a protest against the implementation of apartheid education laws which had seen the divide between black and white communities become a chasm. Large groups of students took part

and soon the stones they hurled were met with bullets from the white security police.

Antonette's brother, Hector Pieterse was the first to be killed.

Her extreme grief as a friend cradled the body of her limp brother was caught in a snapshot that became famous the world over. Today she continues her vigil at his graveside.



But while his death and many others have been investigated by the Truth commission, the full details about what happened on that fateful day, remain unclear. This has left Antonette bitter about the lack of progress made by the commission set up to uncover the sins of the past.

"I still don't really know what has been achieved by the Truth Commission," she says.

"I'm not really happy ... because I think some of the answers are not there."

Her feelings are echoed by others in Soweto, who welcomed the idea of an investigation into the crimes of the apartheid era, but who remain disappointed by the lack of reconciliation and the half-truths solicited by the commission's work.



There is a perception that the black community, which suffered most under apartheid, has been far more supportive of the process and that whites have generally evaded or obstructed its work.

The commission aimed to lay to rest the ghosts of the apartheid past, and heal the wounds of a divided nation.

But for Antonette and others like her, the wounds may not be so easily healed.

## The Lessons of Nathaniel Jones

by Rick Reilly for ESPN.com, April 28, 2011

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On the moonless night of Nov. 15, 2002, five young boys ran across a park, jumped a 61-year-old man, bound his wrists, duct-taped his mouth, and beat him with pipes until his heart stopped.

All for his wallet.

That man was Nathaniel Jones, the grandfather of future NBA star Chris Paul.

Today, those boys are men, sitting in prisons across the state of North Carolina, some serving 14-year terms, some life. On the TV sets in their prison rec rooms this week, the Hornets point guard has been wrecking the Los Angeles Lakers, averaging nearly a triple-double, the shiniest star of these playoffs.

The five are all about the same age as Paul, same race, same height, and from the same hometown.

They have one other thing in common with Chris Paul: All six wish they were free.

It's something Paul told me during a "Homecoming" episode once on ESPN, and every time I watch him play I can't get it out of my mind. Paul, now 25, said: "These guys were 14 and 15 years old (at the time), with a lot of life ahead of them. I wish I could talk to them and tell them, 'I forgive you. Honestly.' I hate to know that they're going to be in jail for such a long time. I hate it."

Whose heart has that much room?

"Chris Paul hates it?" says Geneva Bryant, the mother of one of the five, Christopher Bryant. "Well, so do I. My boy is 23 now. He's been in since he was 15."

Her son has six years to go. Dorrell Brayboy, 23, has six years to go. Jermal Tolliver, 23, has seven. Two brothers — Nathaniel Caughen, 24, and Rayshawn Banner, 23 — are in until they die.

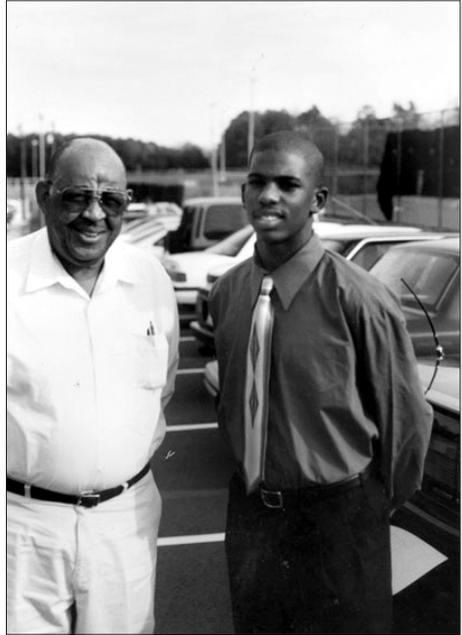
Paul's attitude stuns one of the defense attorneys who appealed the verdict and lost.

"I've probably tried 30 homicide cases," says Paul Herzog, of Fay-

etteville. "It's very rare for a family survivor in a murder case to feel that way. You just don't see that ever. That's incredibly generous of Mr. Paul."

To understand how generous, you have to know how close Paul was to his granddad.

The man everybody called "PaPa Chili" was the first black man to open a service station in North Carolina and both Chris and his brother worked at it. PaPa Chili was known to let people run tabs when times got tough. Plenty of times, he'd hand people money out of the cash register to get by. Paul called him "my best friend."



Chris Paul and his grandfather Nathaniel Jones

The day Paul signed with nearby Wake Forest, the first person to put a Demon Deacons hat on him was his grandfather.

The next day, he was dead.

None of the five boys were particularly hardened criminals. Only Caution had been previously arrested — twice for running away and once for stealing his mom's car. They decided they wanted to rob somebody. Around the corner, in his white van, came that somebody — Jones. He'd closed the filling station and was now getting grocery bags out of his van. "Let's go get him," one of them said. They sprinted across Belview Park and jumped him.

Using tape they'd bought that day at a drugstore, they bound his head, neck and hands and began a "relentless, remorseless, conscienceless" attack, according to the judge who sentenced them. Jones died in his carport.

Paul, a high school senior, was so woe-begone he was literally sick. Two days later, he scored 61 points for West Forsyth High School, one for every year of Papa Chili's life. He purposely missed a free throw at the end, then collapsed into the arms of his father in tears.

His grief was bottomless. Every national anthem in college, he'd hold his grandfather's laminated obituary in his hand and pray.

And now he wants the murderers set free?

"Even though I miss my granddad," Paul told me, "I understand that he's not coming back. At the time, it made me feel good when I heard they went away for life. But now that I'm older, when I think of all the things I've seen in my life? No, I don't want it. I don't want it."

This is the kind of man Chris Paul is: He was president of his high school class all three years. When LeBron James' girlfriend had a baby, James made sure Paul was there. He's so humble that if you didn't know who he was, you'd swear he was the pool man.

So what can Paul do?

He can appeal to the governor of North Carolina, Bev Perdue, and ask for their sentences to be commuted. North Carolina is not big on commuting murderers' sentences, but I'd put nothing past the powers of Paul.

This kid floors me. Not just with the way he can dominate an NBA playoff game at 6 feet tall in elevator sneakers. Not just for the way he can twist Kobe Bryant into a Crazy Straw. Not just for the way he'd rather pass through a doughnut hole than take the shot himself.

No, what floors me about Chris Paul is his humanity. If strangers had bound my weak-hearted grandfather, beat him for no reason and killed him for the cash in his wallet — strangers who to this day have not shown a thimbleful of contrition — I'd want them in prison 100 years after they were in the dirt.

Chris Paul once wrote that his grandfather "taught me more things than I could ever learn with a Ph.D."

One of them must've been love.

## **Mennonite Circles of Safety and Accountability**

### **Summary by Lewis Wallace,**

with notes from Michael Petrunick: "CANADA's Circles of Support And Accountability: A Community Justice Initiative For High-Risk Sex Offenders" in Corrections Today.

<http://www.allbusiness.com/public-administration/justice-public-order/1053551-1.html>

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The Mennonite Circles of Safety and Accountability (COSA) were started in Ontario to support re-integration of "high-risk sex offenders" into their communities after arrest and incarceration. COSA is describes as "a unique community justice initiative that originated in the Canadian province of Ontario in the mid-1990s to deal with the difficult set of problems posed by "high-risk sex offenders" released from prison at warrant expiry, with no supervision and few resources, into hostile and fearful communities." In the COSA model, a group of trained volunteers agrees to work with someone who has sexually abused. As the core group of volunteers helps the individual with basic needs in re-entry, such as housing and job searching, they also support the individual to prevent relapsing into violence or abuse with children. Someone from the volunteer group meets with the individual every single day for at least a year, and the core group meets at least weekly to discuss the situation and make a plan. None of the volunteers are professional law enforcement or social service providers.

The COSA system has had some successes with sex offenders, "maintaining a delicate balance between support and accountability." Although this particular model deals with people who have already been in and out of the criminal legal system, it has potential for replication in various types of communities and situations. It is driven by a supportive and humanizing approach towards the person committing the violence and a belief that it is possible to transform.

## **Making Restorative/Transformative Justice Real: A Rape Survivor Leads the Way**

**By Mariane Kaba for Prison Culture Blog, November 29, 2010**

<http://www.usprisonculture.com/blog/2010/11/29/making-restorativetransformative-justice-real-a-rape-survivor-leads-the-way/>

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“Forgiveness is not an occasional act; it is a permanent attitude. – Martin Luther King Jr.

A good friend of mine shared a remarkable article with me today. (see the original article at <http://www.startribune.com/local/minneapolis/110948624.html>) I am having a difficult time writing this because the subject hits so close to home. As a survivor myself, I find this woman’s response and her story even more poignant and impactful. My ideas about restoration and transformation were also forged in the fires of experience. I too had to learn that forgiveness is not earned but given.

The article opens with this:

The mother who was sexually assaulted at gunpoint in front of her children while cross-country skiing last week in a south Minneapolis park has a message for her neighbors:

Come out this week, she wrote Sunday on an online neighborhood site, to celebrate the Powderhorn Park area where the attack took place and help residents take back the neighborhood, which has seen several acts of violence this month.

“Celebrate our riches,” the unidentified 45-year-old woman, who signed her statement “The ‘Mother’ in the News,” wrote in support of organizers putting together two gatherings this week.

Take a moment to let this sink in for you. Think about the courage that it takes for this woman to share her experience with her community in this way just a couple of days after her rape.

“We survived,” she wrote of her ordeal. “We’re blessed with an abundance of support and love. ... Wow, what a great neighborhood we live in.”

Last week, four teenage boys were arrested on suspicion of having sexually attacked her in the park and, in a separate assault, two teenage girls in a nearby garage.

Earlier this month, a 12-year-old girl standing on her porch in the Powderhorn neighborhood was shot in the neck and possibly paralyzed for life.

Those crimes prompted residents and members of the Powderhorn Park Neighborhood Association to plan a rally this Wednesday and a brainstorming session Thursday, to make the area safer.

Whenever people complain to me about the injustice of the current criminal legal system, I always respond that the only way that we are going to change this is by acting locally. Here is a perfect example of a community coming together in the face of real violence and tragedy to reconnect with each other and to think about collective ways to ensure safety for themselves and their neighbors. I am certain that there are hundreds of similar examples that take place every day in communities across the U.S. Unfortunately, these are never featured in the press. This is what makes this particular case so remarkable.

Instead of grief and outrage, participants have been asked to “bring music, art, puppets, laughter, hope and food,” Priesmeyer wrote in an e-mail announcing the gathering.

That sentiment was echoed by the mother, who was cross-country skiing with her 10-year-old son and 13-year-old daughter when they were accosted.

“I would love it if people came out to sing, dance, ski, sled, play Frisbee,” the mother wrote in her posting. “Let’s make it a celebration of our community and our park.”

The four arrested boys — from 14 to 16 years old — are also being held in the sexual attacks on the girls who were attacked after the assault on the woman. The suspects are likely to face charges that include rape, aggravated robbery and false imprisonment, police said.

Four boys ages 14 to 16 years old... Their lives are now forever altered. How would you react to this situation? How would you channel your understandable anger and grief at the perpetrators of this violence? Here’s how the woman who was assaulted responded:

“I want to tell you that my children and I are doing quite well,” she wrote, “considering that we had a gun held to our chests only three days ago.”

She said she and her family are forgiving of the suspects, not much old-

er than her children. "I guess I might fall into despair, hopelessness and hatred sometime along my healing journey, but I can honestly say I don't experience them right now," she wrote. "My spiritual practices ground me in love and possibility."

She noted that on Thanksgiving Day, the day after the attack, her son told her how he felt sorry for their assailants because they were in jail and would not be able to have the kind of fun life he has now.

"I'm pretty amazed at his compassion and understanding," she wrote. "I have a lot to learn from my kids about staying in touch with what really matters in life. We sure got a profound lesson in having gratitude for just being alive."

It is hard to continue to write as my eyes fill with tears. I was told years ago that to forgive is not for others but for oneself. This seems to be a sentiment embodied in the response of this woman and her family. I remember being consumed with anger and hatred after my own assault. And yet I was the one who ultimately suffered with those emotions. I know that there are many examples of cruelty in the world. I am not naive or Pollyannaish. But in this story, we also see human beings' incredible capacity for forgiveness and compassion. These acts of compassion often go unnoticed. They should not. They need to be underscored and promoted.

I wrote about Desmond Tutu last week. He has written that "at times of despair, we must learn to see with new eyes." I think that this is what this woman must be doing. "Seeing with new eyes." He has also written that:

"Forgiveness gives us the capacity to make a new start...And forgiveness is the grace by which you enable the other person to get up, and get up with dignity, to begin anew...In the act of forgiveness we are declaring our faith in the future of a relationship and in the capacity of the wrongdoer to change."

Contrary to popular belief, this is not about martyrdom but about survival. I know that my own ability to forgive freed me to move forward. This is the promise of restorative and transformative justice. It isn't something one gets from the traditional criminal legal approach to addressing violence and crime.

I opened by quoting Martin Luther King Jr. and will close with some more words from him:

“If I hit you and you hit me, and I hit you back and you hit me back, and go on, you see, that goes on ad infinitum. It just never ends. Somewhere somebody must have a little sense, and that’s the strong person. The strong person is the person who can cut off the chain of hate, the chain of evil.”

This woman is the strong person.

### **“Preparing for Prison: Grief and Helplessness”**

**By Mariane Kaba from Prison Culture Blog, April 16, 2011**

<http://www.usprisonculture.com/blog/2011/02/16/preparing-from-prison-grief-helplessness/>

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A friend called this morning. She’s been working with a family whose son is preparing to go to prison. The lawyers have agreed to a plea bargain. He will serve three years. All that is left is for the deal to be certified. In the meantime, he just waits.

The young man is 19. He committed his offense at 17. It’s been 2 years in the system. The closer he gets to being locked up the more depressed he becomes. He wants to kill himself.

Those of us who work in some proximity to the criminal legal system often focus on the arrest, the court proceeding, the actual incarceration and sometimes re-entry. Yet it occurred to me this morning that I personally pay very little attention to that moment right before a person is about the walk into prison for the first time.

Today I was reminded of yet another terrible aspect of incarceration: the time right before the prison gates close the first time. What must this be like?

My friend spoke of the fear that this young man is currently experiencing; debilitating apprehension. His family is equally beside itself. My friend asked me for resources that might help this young man. I was distressed to tell her that I know of none.

I offered some ideas. They seemed woefully inadequate. I suggested that I would reach out to some formerly incarcerated young men so that they could share their experiences with him. Perhaps they could tell him what their first night in prison was like. Maybe they could share how they survived. I know, I know that this is cold comfort. Someone else’s experience can’t replace your

own. You have to smell the smells, you have to taste the food, you have to experience the loneliness.... No one else can do your time. But...

Still I want to offer something to this teenager. I want to tell him that his life is not over; no matter how he is feeling today. I want to tell his family that the best thing they can do for him is not to forget him on the inside; to keep contact (letters, visits if they can afford them). One of the tragedies of incarceration is the sense among prisoners that they have been foresaken.

So I made some phone calls and two friends who are former prisoners have agreed to take part in a peace circle with this young man and his family. I am hopeful that the circle will provide him with a sense that he is cared for, will show him that he will not be forgotten, and will arm him with more information about the general experience of being locked up from the perspective of people who have done their time. I know, I know that this falls so short.

Ultimately, I feel helpless today. I really feel helpless today.

**Hod:** Glory, surrender (Thighs)

**Community Responds to Domestic Violence  
transcript from the StoryTelling and Organizing Project  
(STOP), a project of Creative Interventions**

<http://www.stopviolenceeveryday.org/>

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Two years ago, I was married to a man who I'd been with for ten years prior, and our relationship had troubles, had issues that people go through. Over the last year of our marriage, my former partner was going through training as a police officer, and at the same time, we had just relocated to a new state. And we were struggling with some large issues in the marriage, and things had gotten more difficult. And I just became increasingly afraid of someone that I used to feel really safe with.

I have three kids and, they were at that time, I guess, 10, 6, and 4, and they were witnessing a lot of arguments, a lot of loud screaming, a lot of doors being slammed, a lot of things that I felt were really unsafe for them to see. My home just felt more and more dangerous, more and more like I didn't know what was going to happen. I saw him acting in very controlling ways that I hadn't seen before. I felt scared to leave the house, I felt scared to come home, I felt scared to sleep in my bed.

I think the last straw came one night when I had gone to a friend's house and my partner followed me in his car. And when I arrived at my friend's house, he pulled up and got out of the car at the same time I did, and was yelling and screaming horrible things at me, and I felt very afraid but I didn't know what to do. I knew wherever I went he would follow me, so I decided I would go to my office, which was nearby, and it was night time so there wouldn't be anybody there. I had a key to the building and he didn't but I ran into my office and into the building, which he didn't have a key to get into. But the whole time he was just screaming at me, trying to get me to come with him, to get me to have a conversation with him. And then when I finally got inside, I waited for a few minutes and he left. So that was the immediate situation I was dealing with.

So I called a friend, who came and met me at my office, and she suggested that I call another friend who had a house I could go to while we figured out what to do, so that's what I did. So when we got there, everybody sort of sat around in the living room and just reassured me that it was, it was, safe for me to be there, that they were welcoming of it, that they understood, you know, that I was at this point on the run from someone who was furious and had a gun and I still felt bad. I felt like I was exposing people to something that I couldn't control, something I was, you know terrified of, but I didn't know what else to do at that point, and they were saying it was where they wanted me to be.

My friends asked me, are there some people that I could gather up, that I could call, that you might like to have support from in this time. I guess I should say that being part of this, this community organization UBUNTU, which is committed to ending sexual violence, meant that we had a way of, of responding that I knew people would come together. I knew if I needed help people would come and talk to me and we could work it out together. So it didn't feel like, it didn't feel strange to meet, to call people and say, "Hey, I need help, and that this is what's going on."

And at the same time, experiencing these things in my home, felt like people would see me differently, people would judge me, people would think I was a hypocrite, people would think I was weak. And I remember being really troubled by that the first few days. But I got reassurances from folks that that was exactly what the point of the organization was, and that experiencing harm is not about being strong or weak, that experiencing harm just is, and that it's what we choose to do about it.

So, we made phone calls, and asked people to come over. We had 7 or 8 people come over and just started talking through what to do. Which at that point felt totally overwhelming, I was still on, "Is this really happening to me?" and, "What can I do to, I don't know, make it okay?" Rather than thinking of anything beyond tomorrow, or, next week.

But I think my wants were something like: I want to be in my home; I want my kids to feel safe. I think I said, "I want \_\_\_\_\_ to leave." I think those were basically it at that moment, and then we just brainstormed what needs to happen right now in the next hour, the next day, the next week, for those wants to happen, and we just, we walked through it so if I want to be in my home, how do we make that happen? How do we make sure that's a safe space? And I think one of the answers to that question was, at least in the in the near future, having folks be there with me.

So we eventually set up a schedule. We put out an email with a schedule for the week, and blanks for people to fill in, and I was amazed that people did fill it in. And they did come by. They came by every day and they came and sat in my living room, and they brought food, and we just sat together. I, I was amazed at that. That was the one, that was how we got home to be a safe space for me again.

When we were thinking about whether to call the police or not, I did feel like I needed some help in calming the situation down, but I didn't know what to do, because if I can't call his, his, friends on the job, and I can't call them in--it doesn't seem right to call them in an unofficial way, because who knows what's going to happen with that. And calling them in an official way doesn't necessarily seem like it's going to produce any certain results either. So we tried to think about who could talk to \_\_\_\_\_, then. And, I think we had figured out some people in the community that he could talk to, if he was open to doing that.

My mom talked to \_\_\_\_\_. And she was willing to deal with him. He was totally raging, and for whatever reason she was not intimidated at all, and just was able to really to talk to h-, him really calmly.

I had people checking on me, people staying, during the daytime hours, sometimes overnight for the next week, and it just felt good. It felt so good to have this full house, you know, this busy house of people coming by, and, you know, people were playing with the kids, and we were making art in the kitchen, and someone was always making tea, and it felt not alone.

In terms of talking about successes, I guess the biggest one is that I did get all three things that I wanted, that I identified as wants to happen. That, my kids went through that time feeling safe; that, \_\_\_\_\_ did leave the house; that I was able to return home; and that all that happened in, in a fairly short amount of time. So in terms of success, I'd say, ultimately for me as a survivor, that, those were the most meaningful successes.

Another success in terms of communication was that, I think we made a phone list immediately, that was one of the first things we did, so I always knew I had someone to call, and that people would call and check on me. Because at that time I think it was hard, I was worried about people burning out, I was worried about people feeling overwhelmed by me and my stuff. So, the fact that I didn't have to constantly, hour by hour, be reaching out for needs to be met because we'd identified them beforehand and there were enough people involved that it felt like no one was carrying all of it, or more than they could. It certainly wasn't that things didn't feel hard, it felt really hard.

I think what was helpful was this wasn't an intervention where it was like, "how are we going to get \_\_\_\_\_ away from \_\_\_\_\_?" It was like, "how are we going to make sure that, that there's not harm happening in our community? How are we going to make sure that we've done our best to address that? And that the problem was consistently the harm. The problem was consistently the events or the behaviors, or the things that were harmful that were happening, but not him that was a problem. Not my choice to stay as long as I had that was a problem. But, but that was... not the relationship that was the problem.

That made it possible for me to feel like I could come into the space and say what I needed, which at that time really included not being someone who was perpetrating harm against him by engaging the power of the state, or by, you know, which whether or not it would have benefited me in that moment, could only have had negative effects on him. And then I got to make a decision about like what do I really need right now to do my work, to take care of my kids, to get through this day, to heal. You know?

We need to trust people to be the experts on their own lives and to take them seriously and have faith in people to set the course for working from harm to transformation. I think that comes best from people who are experiencing harm and have a vision about what they want. And to give people time to identify what that is and be willing to sit with the discomfort of not being able to rescue somebody in a simple or quick way. I think that those values were ultimately the most healing for me.

## Healing from Accusations of Abuse

Anonymous

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It was around 1999. I had been dating this guy for a few weeks.

As I type this my entire body begins shaking. There is a downpour outside. I get a large glass of water.

He had mentioned that he had been abused as a child but didn't want to talk about it – other than that he was very communicative and seemed to have no problem expressing what he did and didn't want. One night we'd had a date and been up late. In the morning we were tired but still fucking in that exhausted-but-can't-stop crush scenario. I started fucking him.

I'd had a lot of positive relationships and sexual experience. I'd also been with a lot of people who'd had negative and non-consensual sexual experiences, and had some myself. At that time, I felt confident in my ability to negotiate, play safe and read people's body language.

I was fucking him. It seemed fine. At some point I said something to him and he didn't respond. I asked again – nothing. I was mystified. He seemed asleep. 10-15 minutes passed, then he appeared to wake up. I said “are you ok? I've never had anyone fall asleep in me while I was fucking them before.” He bolted out of bed to the bathroom, started puking, and yelled at me to get the hell out.

I genuinely didn't understand what was going on. I tried to talk to him, pleaded to know what was happening. He just yelled at me to leave.

I walked home in a daze. One of my dear friends was a self-defense instructor who had just opened a training school. I stopped at her school on the way home and told her everything that had just happened. She thought he might have disassociated, had some kind of flashback. Apparently some people can disassociate and seem to be sleeping, or they can keep going through the motions of whatever they're doing, but be not present at all, and have no memory of it later. This was the first time I heard about this kind of response to abuse.

We stopped seeing each other, but soon after we got back together for a year and a half. He identified what had happened as sexual

assault. I had come out in the queer and feminist movements of the 90s and my only paradigm for accusations of assault was “the survivor is always right”. This, mixed with my low self-esteem, and his manipulation, led to me allowing the label of ‘perpetrator’ to be put on me, even though I knew it wasn’t right.

While we were dating he didn’t want to talk to anyone about “the assault”, but the dynamic between us became more and more unhealthy. I allowed him to cast me as the evil perpetrator who had to do whatever he wanted. As we finally started breaking up, he now wanted to tell everyone that I had assaulted him. He also informed me that he felt afraid of me, which in his opinion, meant that I was also an abuser.

There was no trial, no jury of my peers, no inquiry – I was just accused and then considered guilty by everyone. Guilty of something so despised, that the stain of the accusation can never be removed.

I realize you have no reason to believe me. That you are probably reading this thinking: “yes, that is what all abusers say – that they’re innocent. That their victim has the problem.” Ultimately, it doesn’t matter whether you think I am guilty or innocent. This story has other questions. And, it may be an interesting mental exercise to suspend your disbelief for a moment and imagine that this could happen to you or someone you love.

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This was my worst nightmare. I had built a supportive trans community for myself and I basically lost all of it. My phone stopped ringing. People now made flyers for events saying “No Abusers Allowed” – this meant me. I had struggled with depression all my life, and fell into a suicidal despair for the next few years.

After I was accused, it became a witch hunt. It was a very volatile “community” – lots of unstable young people grappling with their gender identities, mental health issues, and all the usual related employment and housing and family issues. I know at least three other people who were accused of being abusers/perpetrators by this same person and his friends. They were all ostracized and ended up having to move to other cities. Some of them lost their jobs because of this. They were trans people of color and white working class trans people, all of whom had no biological family to fall back on. We were far from perfect, but had done nothing resembling these accusations, and we had relied on that community for survival before being excommunicated.

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In keeping with my learned feminist dogma/self-degradation fest, I desperately tried to be “accountable”. I adhered to the principle that you should inform anyone new you meet that you had been accused of being a perpetrator. This meant that not only had I lost my old friends, I made no new ones. I saw a therapist who specialized in working with cis men convicted of domestic violence and assault. I didn’t try to contact any of my old friends or go to any public spaces, because my ex didn’t want me in his space.

Unfortunately, my public profile worked against me. I’d been building trans community and resources, and had just published a ‘zine; I’d had friends across the country who were also fellow activists. Soon hundreds of people who’d never met me were standing up protesting my inclusion in films, insinuating that they’d also been abused by me, and insisting that spreading this rumor was necessary for “community safety”.

Over the last 10 years I have worked through a lot of my depression and anger. But the accusation never dies, and every year there is another wave (smaller and smaller, but still re-traumatizing) of rumor-mongering.

During the years that I accepted the mantle of “perpetrator”, I did all the things one is supposed to do to “be accountable”. This made no difference in how others treated me – in fact it made the conditions of my life, and the treatment I experienced from people, much worse. This leads me to feel that many people who call for “community accountability” don’t actually believe that perpetrators can be healed, and that healing isn’t actually their goal.

The person who accused me had been severely abused as a child. There was an actual perpetrator out there who had never been confronted. It was much less scary to accuse me, and to enjoy the twisted power that can come from being an outspoken self-identified survivor in certain queer communities. Its also satisfies certain dynamics of internalized oppression to accuse someone who looks like you, smells like you, who is marginalized like you.

There is also a disturbing hypocrisy when people who claim to advocate for restorative justice, ostracize and brand you forever. These same people who would fervently agitate for the rights of prisoners, and send books to accused murderers, saw no problem ostracizing someone they’d known for years.

I have grappled ad nauseum with the questions of forgiveness and justice. How to forgive myself for not protecting myself better. How to heal and

forgive others when there will never be an apology or even acknowledgement – not only from the primary individual, but from the hundreds of people who built this sub-cultural situation. This question extends beyond my individual pain, to ongoing experiences of suffering on a global level. For most of the serious transgressions one experiences, one will never receive apology or acknowledgement – so how do we all move forward and heal? How do we not only survive but create spaces of healing within our ongoing experiences of oppression and pain?

Malik: Queendom/Kingdom, the Earth (Feet)

## **Relying on Community Organizations instead of the Police (Isaac)**

**Transcript from the StoryTelling and Organizing Project (STOP), a project of Creative Interventions**

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**Creative Interventions:** Why did you not want to call the cops?

**Isaac:** It just wasn't an option. You know, on multiple levels. The police are like, you know, the enemy. So it's like you just don't call the cops. Now, like what's inside of that, I don't think it's just like a theoretical political thing, there's the fact that the police had just shot this person in front of hundreds of people, you know, video tape rolling. They had just been incredibly violent out on the street, there was like a police state in downtown. Like on every level calling the cops was not an option, right? So there's the political level in which it's like you don't call the oppressor to help you out. You just don't. Then there's the level of our politics being like we need to like figure out ways to deal with this shit that aren't about calling in the source of violence, right? So then there's all kind of layers that happen with that, so then there's like well why don't we, right? And in this situation why don't we? Here is this person who is distraught. Who has a gun. Who's a person of color. There's no fucking way we could trust the cops to do anything but—I mean what, what were the cops going to do at best? The most safe thing that they would possibly do would be to physically disarm this person which would involve, you know, violence, right? And lock him up. That is like the best case scenario, so it addresses none of problem, right, like at all.

It was about this person's safety, but in a way that was not just responding to a crisis around their safety but also like what

can we do? You know, so it's not just what can we do by any means necessary to stop this self harm or harm to another person, but like how is what we're going to do right now going to reverberate to, um, helping this person move through the period in their lives that is happening, unfolding, right, in this very acute way right in this moment? I mean I guess that that's actually kind of hopeful (laughs), that even in those moments of crisis, that you are actually thinking about—that incorporated into why the moment is serious is also like the, um, future.

You're never told in a moment—you know you might be told in all these other ways in life, right, about de-escalating violent situations, so it's like oh, you have a beef with your neighbor that's getting kind of heated, "Well, just try to talk it out," or "You could hire a mediator," or "Call a lawyer." You know, like, you know and then other ways, right? Like in these interpersonal things, but very rarely is it—it, it ends. The discourse ends, I think, when there's, um, a gun involved. Or an act of violence. Oh, well then you call the police. And it's almost like it's like a natural thing, right. It's not even like you call the police because, it's like and then it starts raining, you know, it's like and then you call the police. It's like an act of nature.

And so we don't call the police we call this community organization. And I think that was like pretty (pause) it's cool—I mean it's cool that it exists, it's cool that we knew about it, it's cool that we did—but I think also what's cool is that that's where our mind went very quickly in this crisis moment. And so, I don't know, once again it engenders a little bit of hope, you know, around um like our abilities to respond when the resources are so scarce, right?

And we started talking about what we had done, you know, and we started talking about like what could we do and where was the harm, right? What were the different levels of harm, right? Where are our efforts, you know, where are our loyalties, where are we invested, where are, you know, where are we in relationship to all this stuff, you know, what are our priorities?

And we talked about that and that was really good, and I think that that's—what became the center was, OK, so there's this thing that's going to happen next week and it is potentially traumatic to this person and he has acted out in this and this way previously. His mode of acting out has intensified. So the harm or the potential harm has intensified, the harm to himself and therefore, the potential harm to others has intensified. So, what can we do to reduce the harm? And so we started talking about everything that we can do. And so like one of the major things we talked about is like: who else can we involve?

And that's when it came up to where it was like, "Let's try to map out who else can help here." And the help being specific to what's the most like urgent things, right? And what we're trying to learn from these things, right? It's like where are people's people in these situations, right? And the analogy that was like we were all trying to lift something that was really heavy. It's a lot easier to lift something that's really heavy if you have more than two people doing it, you know? And especially if it's something heavy that you all care about. And you all carrying it is in relationship to you caring about it and it affects how you care about it down the—" and it's true, it's like, where are these people's people, you know?

## **A FEW RESOURCES:**

### **Communities Against Rape and Abuse**

**<http://cara-seattle.blogspot.com>**

CARA is Seattle-based 501(c)(3) grassroots organization that promotes a broad agenda for liberation and social justice while prioritizing anti-rape work as the center of our organizing. We use community organizing, critical dialogue, artistic expression, and collective action as tools to build safe, peaceful, and sustainable communities.

### **Creative Interventions**

**[www.creative-interventions.org](http://www.creative-interventions.org)**

Embracing the values of social justice and liberation, Creative Interventions is a space to re/envision solutions to domestic or intimate partner, sexual, family and other forms of interpersonal violence.

### **Critical Resistance**

**[www.criticalresistance.org](http://www.criticalresistance.org)**

A national grassroots organization committed to ending society's use of prisons and policing as an answer to social problems.

### **Generation Five**

**[www.generationfive.org](http://www.generationfive.org)**

The mission of Generation Five is to end the sexual abuse of children within five generations.

### **Restorative Justice Online**

**[www.restorativejustice.org](http://www.restorativejustice.org)**

Restorative justice emphasizes repairing the harm caused by crime. When victims, offenders and community members meet to decide how to do that, the results can be transformational.

### **Philly Stands Up!**

**<http://phillystandsup.wordpress.com>**

Philly Stands Up is small collective of individuals working in Philadelphia to confront sexual assault in our various communities. We believe in restoring trust and justice within our community by working with both survivors and perpetrators of sexual assault.

### **Prison Culture**

**[www.usprisonculture.com/blog](http://www.usprisonculture.com/blog)**

This blog by activist Mariame Kaba is an attempt to document how the current prison industrial complex operates and to underscore the ways that it structures American society.