

## **Afterword: After the Juggernaut Crashes**

**Julia C. Oparah\***

**A**LISA BIERRIA, MIMI KIM, AND CLARISSA ROJAS HAVE GATHERED TOGETHER IN this special edition of *Social Justice* a remarkable collection of essays that substantially revise our thinking about the causes of and, more important, effective responses to harm. This edition marks a decisive break with scholarship on violence that reproduces an uncritical dependence on and faith in the power of the state to deter or incapacitate people who harm, and thereby to create safety. Rather, it builds on a critical perspective that points out the failure of policing, surveillance, and punishment as strategies to prevent violence, reveals the extent of violence perpetrated by state actors, from law and border enforcement agents to prison guards, and elucidates the state's complicity in the maintenance of both systemic and interpersonal violence. These understandings are now fairly common within antiviolence and scholarly circles, thanks largely to the activist work of women of color from the domestic violence and sexual assault movements, and Incite! in particular. However, in the absence of practical and implementable alternatives, proponents of this critique run the risk of being labeled "vanguardist" and being accused of promoting a utopian vision of a world without prisons, policing, and punishment that offers little to those living with violence. This is the challenge that this collection takes up.

As the United States and Europe in particular seek to rebuild economies shattered by unfettered, reckless, and ultimately unsustainable profiteering on the backs of communities of color, the poor, women and children, students and people with disabilities, the urgency of the abolitionist call to reclaim the billions of dollars currently spent on policing and prisons has never been greater. With budgets and prisons stretched to their limits, some states have been forced to initiate measures to reduce prison populations. Yet without popular acceptance of real alternatives, politicians will continue to find ways to avoid releasing prisoners or sentencing fewer people to prison- and jail-time.<sup>1</sup> Although organizations such as Californians United for a Responsible Budget continue to remind the public that most people in prison are there for nonviolent offences and due to parole violations having

---

\* **JULIA C. OPARAH** (formerly Sudbury) is a professor in the Department of Ethnic Studies, Mills College, Oakland, California. Her research interests are in African diaspora studies, Black British studies, black feminist theory, women of color organizing, the transnational prison-industrial complex, women and transgender prisoners, and black women and childbirth.

little to do with the original offense, the immediate popular response when there is any discussion of reducing prison populations is an outcry against “flooding our neighborhoods with [dangerous] criminals.”<sup>2</sup> This is why this special issue is so timely and important. By documenting in meticulous detail the possibilities and practical applications of what have come to be known as community accountability strategies, the authors map out for us how we can respond to harm *without creating more harm*—to survivors of violence, the imprisoned, their children and families, the communities they are removed from and returned to, and the schools, social programs, and parks and recreation facilities that continue to suffer budget cuts to channel ever more state and federal funds into the prison-industrial complex.

As the reader engages with the challenging ideas in this volume, it is important to bear in mind the groundwork that made this exploration of radical alternatives to reliance on the state to protect and punish possible. The significant shifts in theory and praxis in relation to interpersonal and state violence that we have witnessed in progressive circles in the United States in the past decade can be traced in part to the *Critical Resistance—Incite! Statement on Gender Violence and the Prison-Industrial Complex*.<sup>3</sup> This widely disseminated statement was crafted in 2001 through a collaborative process that involved auto-critique by members of the anti-prison and antiviolence movements.<sup>4</sup> Recognizing that the anti-prison movement had failed to respond adequately to the needs of survivors, that the mainstream antiviolence movement had increasingly come to rely on the criminal-punishment system and to overlook the harms committed by that system, and that both strategies marginalized women of color and poor women, the *Statement* called on both movements to develop strategies that simultaneously address interpersonal and state violence, while also divesting from policing and punishment. Ten years later, the *Statement* has been made into posters, reprinted in this journal as well as two books edited by Incite!,<sup>5</sup> discussed in classrooms and community spaces, and debated by service-providers. It remains a foundational document that can be seen as a symbolic marker of the end of an era of innocence in relation to the damaging consequences of complicity between progressive movements and the punishing state. More than a statement, the document we created was a call to action. This call has been taken up first in grassroots communities and now in this volume in fresh, courageous, and visionary ways.

The essays here, when read together as a coherent whole, generate a framework for re-envisioning a failed, morally bankrupt, and economically and socially destructive criminal-punishment model. While critiques of the prison-industrial complex, of police brutality and impunity, and of breaches of civil liberties are valuable and important, the enormous output of scholarly work describing a problem that has only gotten worse over the past decade suggests that progressive scholars are at risk of creating a prison/surveillance-critique industry that ultimately relies on the very structures we analyze. This tendency to reify the existing policing, court, and imprisonment machinery is also a limitation of many restorative justice measures

that coexist alongside, rather than disrupt, the logic and operation of the criminal-punishment system. What is refreshing in these pages is a clear intention to be generative rather than reactive, to think outside the terms given by the existing criminal-punishment system, and to create a new paradigm. Apartheid-era black South African scholars who used their time abroad studying education, engineering, and public health to design post-apartheid school, mining, and health care systems were relying on the faith that one day they would see apartheid fall and these designs would be urgently needed. Similarly, the scholar-activists in this edition are preparing us for a time when the unsustainable juggernaut of mass incarceration will crash and burn. At the same time, their remedies are very much available and actionable in the here and now. In this sense, abolition becomes a present-tense verb, not merely a dreamed of utopian future.

These essays generate a new language and set of concepts that move beyond crime and punishment, and focus instead on harm and accountability, violence and healing. The authors encourage us not to accept a criminal-punishment system, imposed from above, but to imagine a decentered, empowering cluster of activities that we may all participate in and that together produce “community accountability” in response to harm. In so doing, they encourage us to think about five questions that are key to the kind of imaginative and courageous work promoted in these pages. First, they push us to recognize the profound challenge embodied in the call to deal with violence in ways that do not rely on the politics of what Mimi Kim succinctly labels “kicking ass.” It is one thing to create a process that might replace calling the police and demanding a long prison sentence as a response to harm. It is quite another to make that process one that does not replicate the same coercive and individualizing machinery of investigation, prosecution, and punishment that ultimately dehumanizes and disempowers both the victim/survivor and the person who has done harm. If even progressive movements such as the LGBTQ movement are, as Cathy Cohen reminds us, deeply invested in the pursuit of retributive justice, it is because we have not been willing to question the flawed logic that would have us “fix” violence by applying more violence. Indeed, as the essays by Kim and Rojas point out, there is a seductive power in the quick fix offered by the criminal-punishment system. Although prosecution and imprisonment do nothing to reduce or end violence, they do have a symbolic power that is appealing to subordinated communities that have for too long been considered expendable and inherently unrapeable. The work done by organizations such as CARA, Philly Stands Up, and Creative Interventions with communities of color, queers, women, and youth is therefore profoundly important and revolutionary.

The second key theme is the creativity and resourcefulness that is unleashed when communities intentionally turn inwards rather than outwards toward state institutions for solutions to harm. The strategies revealed in these pages contain a kind of “magic,” conjured up by “curanderas”/ traditional healers, that has the power to transmute spaces of violence and collusion into spaces of healing and

transformation. By looking toward internal resources, these communities have resisted the disempowerment that is an inevitable outcome of professionalization and a reliance on experts and institutions. Instead, as Aishah Simmons asserts, those who have survived violence and thus know it intimately can provide expertise and analysis of their experience. Indeed, all those “closest to the harm,” Mimi Kim demonstrates, including the survivor’s loved ones and even the person who has caused harm, are potential sources of important knowledge about the dynamics, root causes, and solutions to the violence. Turning away from the state also makes visible the material resources that communities can generate when they work collectively. For example, during the 11-year process of making the film *No!*, Simmons was to learn that it would take the perseverance and faith of a global community of survivors to raise the funds and claim the right to tell the story of black women who have survived rape.

As we learn in Esteban Lance Kelly’s thought-provoking and inspiring analysis of community accountability work in Philadelphia’s punk community, looking to ourselves for a response to violence is in many ways much more difficult than passing responsibility to state institutions. It requires us to confront our fears and insecurities, to encounter material that may trigger past wounds (and the need to do our own healing work), to deal with our rage and pain, and to critically examine our desire to exonerate, condone, or cover up. It is this rich and painful work that generates the transformation promised here.

The third and perhaps most difficult question engaged by the authors is how we should deal effectively with people who do or have caused harm in order to promote accountability and safety. They are complex members of the community who, as Kelly puts it, are “worth keeping around.” In Clarissa Rojas’ thoughtful account of a community accountability process carried out in a Raza Studies classroom, we are exposed to the common denial, minimization, and avoidance strategies that may be deployed by someone who has committed a coercive sexual act. These strategies are racialized as well as gendered, since men of color may rely on their own histories of racial and colonial violence to exonerate themselves from condemnation. The essay documents how the class scrupulously held the student who had committed sexual assault accountable for his actions, even while acknowledging his history as a survivor and witness to horrific interpersonal and state violence. Mimi Kim’s essay extends this conversation by exploring what it looks like to shift the role of the person who has caused harm from target to participant in community accountability practices. She cautions us to think carefully about our willingness to use coercion and the specter of force to leverage accountability. Finally, Esteban Lance Kelly documents Philly Stands Up’s efforts to model the behavior they want the person who has caused harm to adopt, suggesting that people are more likely to learn to value human life when they are included within a politics of care that honors and respects collective well-being.

Although many of these essays provide inspiring accounts of communities using social justice principles to take back power and create safety and accountability, they also caution us against adopting a romantic view of the “community” aspect of community accountability. Many proponents of non-retributive justice have harkened back to a time when justice was community-based, nonhierarchical, and restorative and healing of all parties. But Andrea Smith points out that the reinvention and imposition of justice “traditions,” such as circle sentencing, on Native American tribes may maintain and replicate the romanticizing and homogenizing tendencies of colonial relations. In fact, although prisons are a colonial import, this does not mean that pre-colonial indigenous responses to harm were all peaceable and restorative. As Smith asserts, death, shaming, and (death by) banishment were also part of the repertoire of penalties. Similarly, Philly’s Pissed responded to sexual assault with public shaming and even violent reprisals, reminding us that community-based responses to sexual assault have long included a beating by (male) relatives. We must therefore be careful not to idealize “community,” or to assume that turning away from the state will automatically replace punishment and separation with restoration and reconciliation.

A final critically important theme explored in these pages is the relationship between community accountability, gender justice, and abolition of the prison-industrial complex (PIC). Community accountability is not just an antiviolence project, Rojas asserts, it is about radical transformation of the conditions that create racial/gender/homophobic/economic violence. In this sense, community accountability is fundamentally an abolitionist strategy, one that creates the groundwork for the obsolescence of policing and prisons. Any practice that is serious about ending violence must tackle the role of the criminal-punishment system in producing and exacerbating violence and victimization. This means challenging communities to reduce and ultimately end their reliance on law enforcement for “protection,” while simultaneously generating a new culture of gender liberation within anti-PIC and antiracist spaces. At the same time, these essays identify a continuum of other institutions, from the classroom to the hospital, the welfare office, and even the nonprofit organization and underground music scene, which are saturated with violence. Clearly, our thinking about abolition needs to become broader and more comprehensive to address the multilayered and omnipresent nature of violence within settler states built upon the intertwined logics of removal, incarceration, and death.

This edition of *Social Justice* will be read and re-read by educators, students, and activists as we seek to transform our classrooms, community organizations, and movements into truly emancipatory spaces. The examples here provide us with principles and practical strategies for critically examining our own relationship to power, violence, and punishment, and co-creating new approaches to deal with the everyday harms we encounter. Ultimately, this edition contains a toolkit for

ushering in the obsolescence of the criminal-punishment juggernaut by generating true security based on engaged, empowered, and accountable communities.

## NOTES

1. For example, when the U.S. Supreme Court ruled in May 2011 that California must cut its prison population by 33,000 individuals to reduce the severe overcrowding that was contributing to medical neglect, violence, and suicide, Democratic Governor Jerry Brown responded with plans to redirect low-level prisoners to county jails. A previous method used by the state to address overcrowding without reducing the number of people behind bars has been to send prisoners to private prisons in Arizona, Mississippi, and Oklahoma. See Don Thompson, "Supreme Court Upholds Order for California to Cut Prison Populations," *Huffington Post* (May 23, 2011), at [www.huffingtonpost.com/2011/05/23/supreme-court-orders-cali\\_n\\_865503.html](http://www.huffingtonpost.com/2011/05/23/supreme-court-orders-cali_n_865503.html).

2. Republican State Senator George Runner in response to the U.S. Supreme Court ruling, *Ibid.*

3. The *Statement* and a discussion about its impact can be read at: [www.incite-national.org/medical\\_docs/7713\\_CR-INCITEstatement-2008discussion.pdf](http://www.incite-national.org/medical_docs/7713_CR-INCITEstatement-2008discussion.pdf).

4. Julia Sudbury, "Toward a Holistic Anti-Violence Agenda: Women of Color as Radical Bridge-Builders," *Social Justice* 30 (2003): 134–137.

5. Incite! Women of Color Against Violence (ed.), *Color of Violence: The Incite! Anthology*. Boston: South End Press (2006), and Incite! Women of Color Against Violence (ed.), *The Revolution Will Not Be Funded: Beyond the Non-Profit Industrial Complex*. Boston: South End Press (2006).