



BCLA: *What/Who does Transformative Justice transform? How?*

Andrew Dilts: *One of the places to which I often turn when describing transformative justice is the amazing group Generation Five (a group whose mission is to end the sexual abuse of children within five generations): “Transformative Justice seeks to provide people who experience violence with immediate safety and long-term healing and reparations while holding people who commit violence accountable within and by their communities.”*

In practice, this means doing the difficult work of building genuine accountability and justice between people. Transformative justice practices start by acknowledging at least two fundamental and uncomfortable realities about harm in the world: first, most often, and most likely, harm comes from people that we know, trust, and with whom we are in community with.

This is even true of the “worst of the worst” that we might imagine, despite the popular presentations to the contrary. And second, we must acknowledge that the state is at its core always a source of violence. We know this both by listening to those people most exposed to the violence of police and prisons and also from the core sociological definition of a state: that organization that claims a monopoly on the legitimate use of force against its members.

That is to say, transformative justice begins from a realist position that takes seriously the sources of harm and recognizes that when the state intervenes it cannot, by definition, reduce harm but relies on it. Thankfully, though, if we have the resources, courage, and imagination to try, we can (as communities have done for many years) find ways to respond to genuine harm that produce real safety, healing, and repair. Transformative justice notes that the current state of things allowed for harm to occur and asks both how to hold those who commit harm accountable and how to change the conditions so that harm won't occur again in the future.

In that way, transformative justice always seeks to transform both ourselves and our conditions.

BCLA: *How would you persuade someone who knew nothing about Transformative Justice to attend this year's Bellarmine Forum? If my suggested “someone” is too broad, you can pretend you're addressing a first-year student.*

Andrew Dilts: *In one sense, transformative justice is something that many (if not most) of us already know something about. It is what we might practice when we notice a friend or a family member about to do something which might hurt themselves or others: we intervene directly to keep that from happening, keeping not only ourselves and others in mind, but the person who we are concerned about as well. Anybody who has ever stopped a friend from driving home from the bar after too many drinks without calling the police is, in a very real way, practicing transformative justice. But we aren't as good at this when we think about people we aren't already connected to. We aren't practiced in interrupting violence before it happens. And we often aren't connected well enough with people in our communities to hold each other accountable.*

But we can learn to be ready for this, in the same way that we might learn how to do CPR or administer first aid long before it is necessary to do so. We can learn how to dismantle the institutions that separate us, build new ones that connect us, and transform those that have harmed us in the past. I'd say that anyone who is interested in building a world in which we wouldn't need to (or even think to) turn to the use or threat of violence to respond to harm should be interested in transformative justice, even if it's a language that is new to you. In this sense, the very same calling that brings anyone to Loyola Marymount—to encourage learning, to care for the whole person, to serve faith, and to promote justice—would also call them to the shared work of transformative justice.

BCLA: *Your common course [Fall 2020] emphasizes confronting our understanding of detention and incarceration. Does transformative justice play a role in this confrontation? What alternatives to detention and incarceration does transformative justice offer the US?*

Andrew Dilts: *One important thing that transformative justice does is help move us away from the language of “alternatives” altogether. That is to say, to think of an “alternative” to prison or jail usually assumes first and foremost that we need the things which prison or jails claims to provide, and an “alternative” is just a different way to get those things. But a frank and realistic account of incarceration in the US shows us quickly that things it claims to provide—accountability, justice, safety, stability—are in fact not offered by jails, prisons, or detention centers. Prisons are spaces of remarkable and extraordinary violence, places where individuals rarely are held accountable for their actions (consider that the conviction and incarceration rates in the US for reported sexual assaults is in single digits), places that are destructive to both those who work there and who are held there, and places that do not lower “crime rates” (which has been a well-established fact by social scientists for decades).*

What transformative justice seeks to do is not create a better prison, even an alternative to one, but rather to transform the conditions in which prisons would be thought to be necessary. This links transformative justice to the widespread prison abolition movement, which has been organizing to make prisons “obsolete” for decades, and which has (in the last decade) broken through into mainstream political consciousness.

BCLA *How can the university enact transformative justice in a wider political context?*

First and foremost, transformative justice work is done where you are. And because people are fragile and our actions are irreversible, harm between people will occur. But how we respond to harm—of all varieties—is up to us. So, transformative justice is work that can always happen where you already all. Concretely at a place like LMU this means taking seriously the historical and ongoing practices of racism, sexism, hetero-sexism, transphobia, ableism, and colonialism that built this institution and from which it continues to benefit. This means building systems of accountability for students who harm others and having ways for faculty and staff to resolve conflicts without the threat of job insecurity. This means materially confronting that our campus occupies unceded lands of the Tongva people that are not rightfully ours and must be returned. This means directly addressing food insecurity for our students and our staff. This means paying a living wage to every single person who works on campus without exception (regardless of if they are a contractor or a direct employee). This means eliminating crushing levels of student debt and addressing financial insecurity that keeps students from fulfilling their protentional. This means hiring faculty and staff who are members of historically under-representing members of the academy. This means getting cops off campus and divesting the university’s endowment not just from fossil fuels, but also from prison, detention, and arms-related industries. This means democratizing the university at every level and in every instance so that our decision making is collective, our equality as humans is respected, and our work together is genuinely that of a community. And it also means making sure that when someone is in trouble, when someone might cause trouble, or when trouble comes to us, we’re ready with the skills in hand, to respond to it and make it less likely to happen again in the future.

BCLA: *Enforcement of our laws is often held up as an example of justice in our criminal justice system (or maybe as a way of correcting injustice). Enforcement often involves violence, which*

transformative justice tries to avoid. Does transformative justice relate to enforcement? Is it an alternative to enforcement?

Andrew Dilts: *To be clear: enforcement always involves violence in that the core logic of enforcing is “force” combined with authority. That is to say, when the enforcement of a law is put in the hands of an institution that is authorized—in advance—to use deadly force if necessary (as the police are, by definition) then the threat of violence (which is itself always a form of violence) is always a part of law enforcement. This is the basic critique which transformative justice begins with: if you want to avoid violence, if you want to prevent it, you cannot do so with violence. That is self-contradictory.*

Because transformative justice practices refuse to let the state “steal our conflicts” (as the Norwegian criminologist Nils Christie calls it), we instead collectively reclaim our non-violent authority to love, care, and hold accountable those with whom we are in community. Now, to be clear, accountability might involve force, but it would do so in a way that fundamentally respects both the survivor of harm and the aggressor as non-disposable. What transformative justice does, and in its close relation with prison abolition as we learn from Angela Davis, is actually recognize that what we do now is not addressing our problems, but just attempts to disappear them, to move them out of sight and out of mind. And when we live in a white-supremacist and settler-colonial country like the United States, we can see that what we end up disappearing—into jails, detention centers, prisons, ghettos, and reservations—isn’t problems, but people. But as Prof. Ruth Gilmore puts it, “where life is precious, life is precious.” Transformative justice demands that we put that fact into practice.