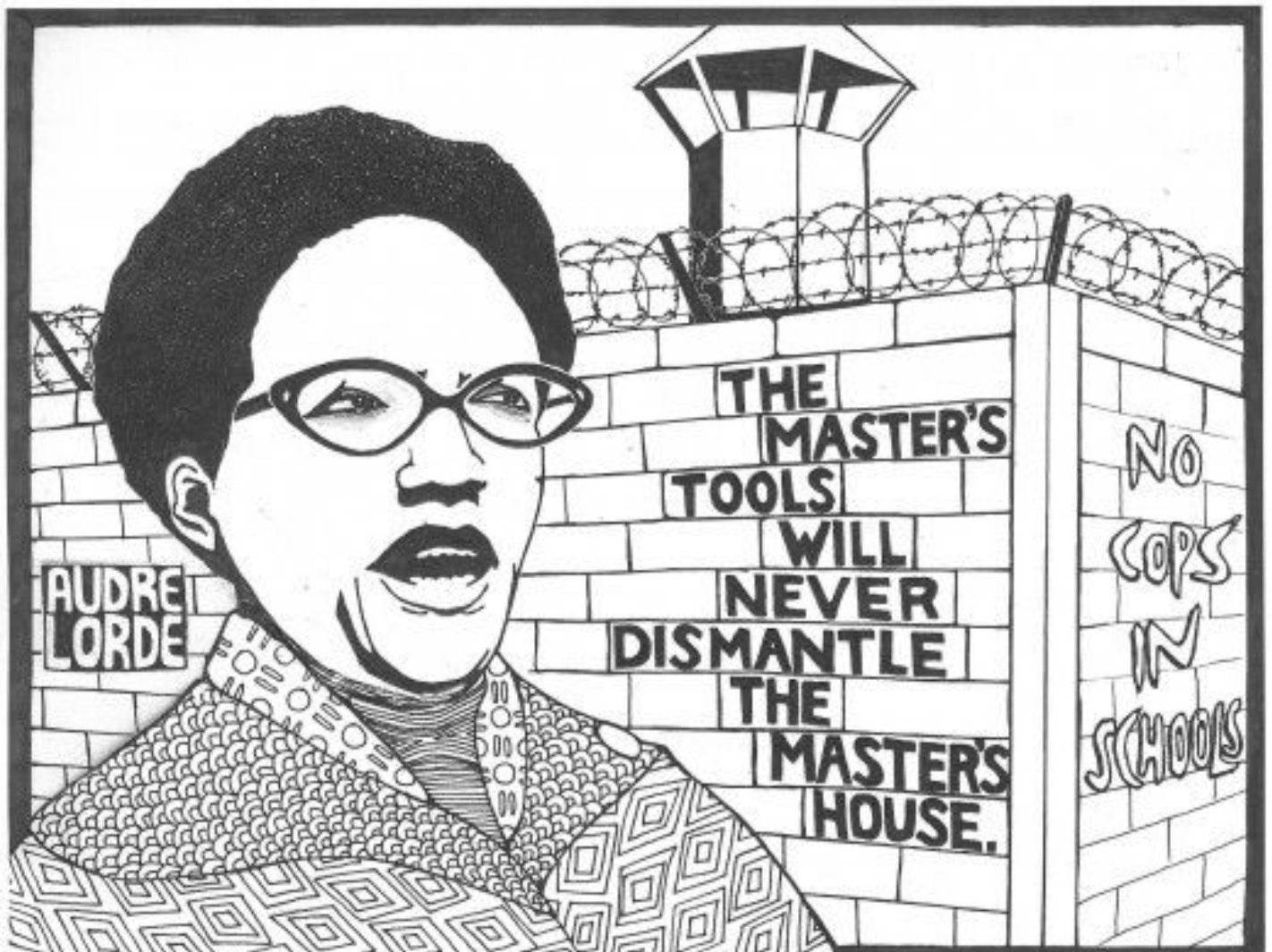


Police and prisons are violent and racist institutions, straight out of the colonial legacy whose sole contribution is to reproduce the inequities of the capitalist system. Everyday, even when they uphold a so-called social peace, cops often assault, harass and incarcerate the most vulnerable and oppressed among us. And when people rise up against these injustices, once again the state uses the police and prisons to stifle the masses. The problem is not only the violent blunders of the police, but the police institution in itself that is a form of violence just like courts, laws, jails and prisons. Can we really talk about bad apples when the whole institution only exists to repress and oppress?

This zine is the edited transcript of an episode of "The Whole Orchard" (Le verger au complet), a series of podcasts in the form of interviews that addresses different themes linked to the police, prisons and the justice system, created by CLAC, the Anti-Capitalist Convergence (Convergence des luttes anti-capitalistes), a group based in Tiohtià:ke or so-called Montreal on unceded indigeneous land, inhabited amongst others by the Kanienkeha:ka nation.

The idea behind this project is to share knowledge, experiences and radical imagination, to better understand who our enemies are and how they operate. It can be hard to see clearly through the supposed neutrality of the legal system and discourse that legitimize policing. How can we differentiate between individual cruelty and institutionalized discrimination? How to explain the over-representation of certain groups in prisons? How do policing bodies harm us while pretending to protect and serve us? How is the category of "criminal" constructed? Is its only purpose to scare us of each other? Why is defunding the police not sufficient and abolition necessary? How to rethink justice

under a state that perpetuates the genocide of Indigenous peoples? What kind of alternative justice could replace the current punitive and repressive system? What form can transformative justice take in a post-revolution society? And what about right now? These are some of the ideas we've discussed over different episodes. We propose a critical analysis opposed to the liberal vision of policing, which prefers considering bad apples instead of targeting systems of oppression as a whole.



This zine addresses the question of transformative justice, its origins, and how it is currently applied in certain communities. It show us how we can take action in a constructive manner to make police obsolete here and now, and not just act toward police abolition. It helps see what a world without police and state justice system might look like.

*We will talk about how to resolve our conflicts without the use of police and jail in the here and now. To do so, we discuss transformative justice with **harar v.a. hall**, a queer, Black, Jamaican-Canadian multi-disciplinary creative and thinker raised in Tkaronto/Toronto and currently living, organizing, and dreaming in Tiohtià:ke/Montreal. As a facilitator, event programmer and curator, they have focused on carving out space for artistic expression, learning, and the production of knowledge within communities they are a part of. Their work is rooted in an ongoing desire for healing and liberation at an individual and collective level. And so, all of it first draws on their own experiences with identity, love, lust, belonging, trauma, happiness and community. They endeavor to create work and spaces that explore these emotions and experiences honestly, in hopes of fostering spaces for radical imagination.*

How does transformative justice differ from punitive justice? And where does it come from?

Harar : I think that I would differentiate them most broadly based on their goals, and so I think punitive justice's largest outcome is punishment. I think often times there's a lot of discussions about pillars of justice and you know, we will have discussion about rehabilitation, we will have discussions about restitutions and all of the other things that are supposed to come from imprisoning

people, from fining people even, cause I think fines are also part of sort of the punitive system. I think everything that sort of is part of that criminal justice system that we see broadly within colonial societies I think falls under punitive justice, but it is to punish people and I think it has very little to do with safety. I could talk about that more later on, but in contrast I think that transformative justice's aim is healing. I think it's healing from the person that is been harmed. It's healing also for the perpetrator, which is something we don't often center as well in talking about punitive justice, but I think broadly it's also healing for your community and your society. When an individual is harmed, when someone else is doing something that has hurt another person, harmed another person and so, integrally I think it's really important to think about the ripple effects that that has. Trauma isn't just felt by one person, it's not just held by one person, it's felt by the people that are supporting them, it's felt by their families, it's felt by the people that they've hurt in response to the harm that they have experienced, and so, transformative justice is really centered about healing everyone that has been impacted by this act. And I think it's also really incredible because I feel like punitive justice makes people into criminals. And once you're a criminal it's very hard not to remain a criminal and so you become a single act that you've done, or maybe a couple of acts, you know.



And I think that transformative justice always asserts a person's humanity first and I really appreciate that because I don't think anyone ever wants to be labelled by the worst thing that they've ever done on their worst day or the impacts that were felt by the worst thing that they've done, but that's what criminalization does. It turns you into the worst thing you've done and makes you relive that and feel that and be punished for that every day of your life. And if you're in a society that not only criminalizes you but then also when you're released you have a criminal record, you know when you're applying for jobs, when you're applying for housing, this record follows, you are a criminal presumably until the day you die, because of a thing that you did and so there are no room for healing, there are no room for growth, there's no room for evolution and it's like how can you heal from that? How can the people around you heal from that as well? So yeah, I would say that they're really diametrically opposed on how they view people and what their aims are. And then I think the origins of transformative justice really come from abolitionist movements.

But in order to speak about abolitionist movements, I think it's actually really important to speak about the origins of prisons, but also the origins of contemporary prisons as a system, because I think it's true that people have been imprisoned, have experienced imprisonment for like, throughout all of history, but I don't think that punishment, in the way that is, exist as a really central mode of the prisons system, has existed for as long. And I think that it's really important to remember that it's not that old, because it can very be easily taken away from the way that we think about justice and the way we think about responding to harm. And so the current penal, penitentiary movement really has its origin specifically within the US in the 1700s, and you see

this large integration of very deeply religious doctrine being sort of integrated into the creation of institutions. Unfortunately, it was also in the libraries, but that's not as important. I think that thinking about the way that people then thought of long prison sentences and sort of the removal of people's freedom and also thinking continuously even after you're out of prison as an extended sort of punishment, as a way of making the prisoner reflect on what they've done. And it was this idea that you not only need to keep prisoners safe from society, but prisoners themselves need to be punished and they need to be punished themselves and they need to reflect and they need to think and a sort of penance makes them better people. And so, whether or not you're a religious person, I think is beside the point, I think it's actually really important to just remember that that piece about punishment is very deeply detached from justice. It's very deeply detached from safety and so if we believe that our aims for whatever justice system we choose are safety, are justice, then we actually don't need punishment to be a part of that at all, that is unnecessary, it's quite new and it can be removed.

And so I think of transformative justice and the prisons abolitionist movement, as like, best friends. I think that transformative justice comes really like, I think the abolitionist movement is a destruction of what we see, like the prison abolitionist movement as a distraction of the system that we see that is been so harmful to our communities, and I think specifically that to Black communities, to Latinx communities, to Indigenous communities, but I think society more broadly because I do think that carcerality has unfortunately infected so much of the way that we think about interactions between people. But I think what's really beautiful and interesting about transformative justice is there is no distinct origin point, not one

person created it, but it grew out of the theories of people being like : we don't need prisons, but we need something better, we need something more brilliant, we need something that's great. So you can trace it to to people who are psychologists, who sort of studied the impact that prisons have on human behaviour and the ways they treat each other and prisoners, so you can trace it to abolitionists, you can trace it even to Canadian Quakers who then responded to American Quaker movements by becoming abolitionists and becoming transformative justice, so, advocates for transformative justice, so obviously, you know names like Angela Davis or you know names like Ruth Wilson Gilmore, but I think that there are so many modern transformative justice thinkers. I personally really love Adrienne Maree Brown, because I think that she really centers dreaming and imagination in transformative justice movements which is what I think is really integral, it's thinking beyond what we have been told is possible and imagining what justice can look like, what our healing can look like if we completely break down the boxes that society have sort of imposed on us through carcerality.

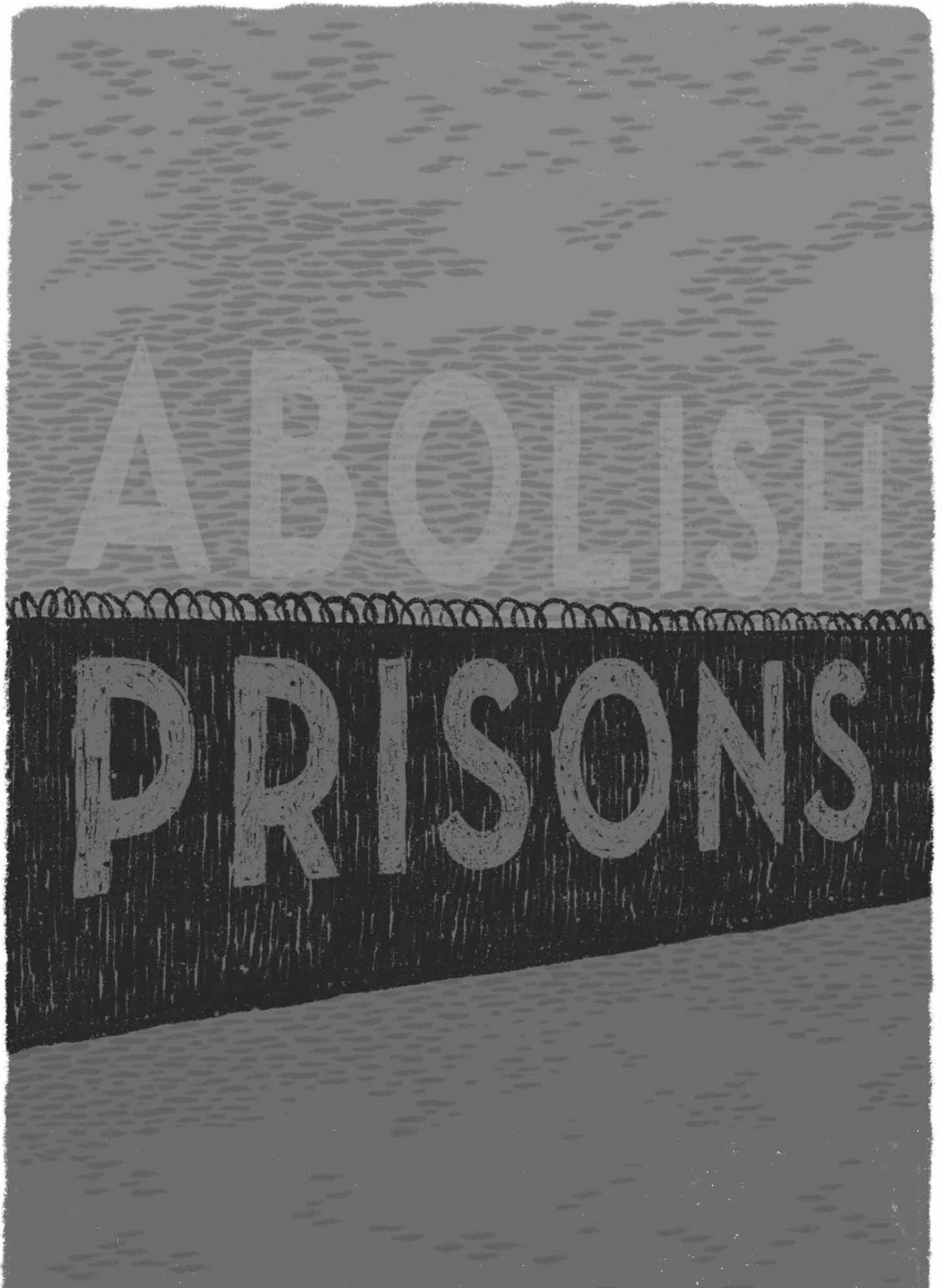
Transformative justice and restorative justice are sometimes used interchangeably. Do you feel it is important to make the distinction?

harar : I love this question because I think that the overlap between transformative justice and restorative justice has actually done a really huge disservice to implementation of transformative justice specifically within community processes and I think so I will say I'm a huge advocate for transformative justice, I am not advocate for restorative justice. I think that restorative justice has a lot of strong benefits, but that's not what

I ideologically advocate for. I think that's important to say because obviously I think everyone operates with bias and that is mine, but restorative justice is really beautiful and that's its origins is often found in Indigenous teaching and Indigenous healings and Indigenous justice, specifically on Turtle Island, and I think that's why we see a lot of integration specifically in so-called Canada of restorative justice into the criminal justice system.

But restorative justice's largest concern is between the person that was harmed and the person that has done the harm. I think that this is really important and I think that it does a good job in moving beyond carceral imprisonment and it doesn't simply focus on punishing someone, but ultimately it still allows the individual that has been harmed to be the sole arbiter of what is just and for them to evaluate how much harm has been caused by another person. And I know a lot of people hear that and are like : that's great, that's amazing, the individual that has been harmed should be the one that decides what is just and what they need, but I actually think that that is the worst time to decide what your idea of justice is, when you've been harmed. But I also think that the larger issue is that no one come to an instance of harm as a perfectly healed, trauma free individual, we carry all of our experiences with us, and I don't think that, I'm not making a sort of point for standardized practice in terms of transformative justice, like every process needs to look the same, but I think it's really bad if we are assuming that a victim or a survivor, a person that has been harmed is in the best position at that moment to hold care for the person that has harmed them and I don't think they should have to. I don't think they should have to be a person who thinks about the healing that has harmed them, but in a restorative justice process where we are centering these

two individuals on what one person can do for the other person for them to feel that they can heal and they can move on from that situation, there is actually very little ability for the person that has caused the harm to also access healing. But I think beyond that, and I don't think that that's true for all of restorative justice processes, I think that there is some level of community healing that is integrated into it, but I think the difference is that community healing is not central. Social structural change is not central and I would say that that is really really huge in transformative justice, so there is a responsibility and a focus on the way the community has been impacted by that harm occurring, and I think the great thing about that, beyond the fact that everyone that has existed within that instance of harm is then getting the support to grow, and move on, and heal from that, is also that there is now responsibility taken by the community for what enabled that to exist in the first place. I don't think it is reasonable or fair to ever attribute a thing that someone has done only to them when they are a byproduct of their environment, when they are a byproduct of their community. And so I think that transformative justice allows, and I think I would even say forces a community to constantly look inward on how they can insure that this doesn't happen again because we know that this action isn't because this person is a bad person that just harms people but rather because they have been put in a position that enabled them to harm someone. And yeah, and so I think that in many ways transformative justice also works to react to or I would say to prevent harm from happening in the future in the same ways, because we all take ownership of the harm and we all take ownership of the healing. Whereas I think restorative justice really isolates that to the people that have existed within that instance of harm.

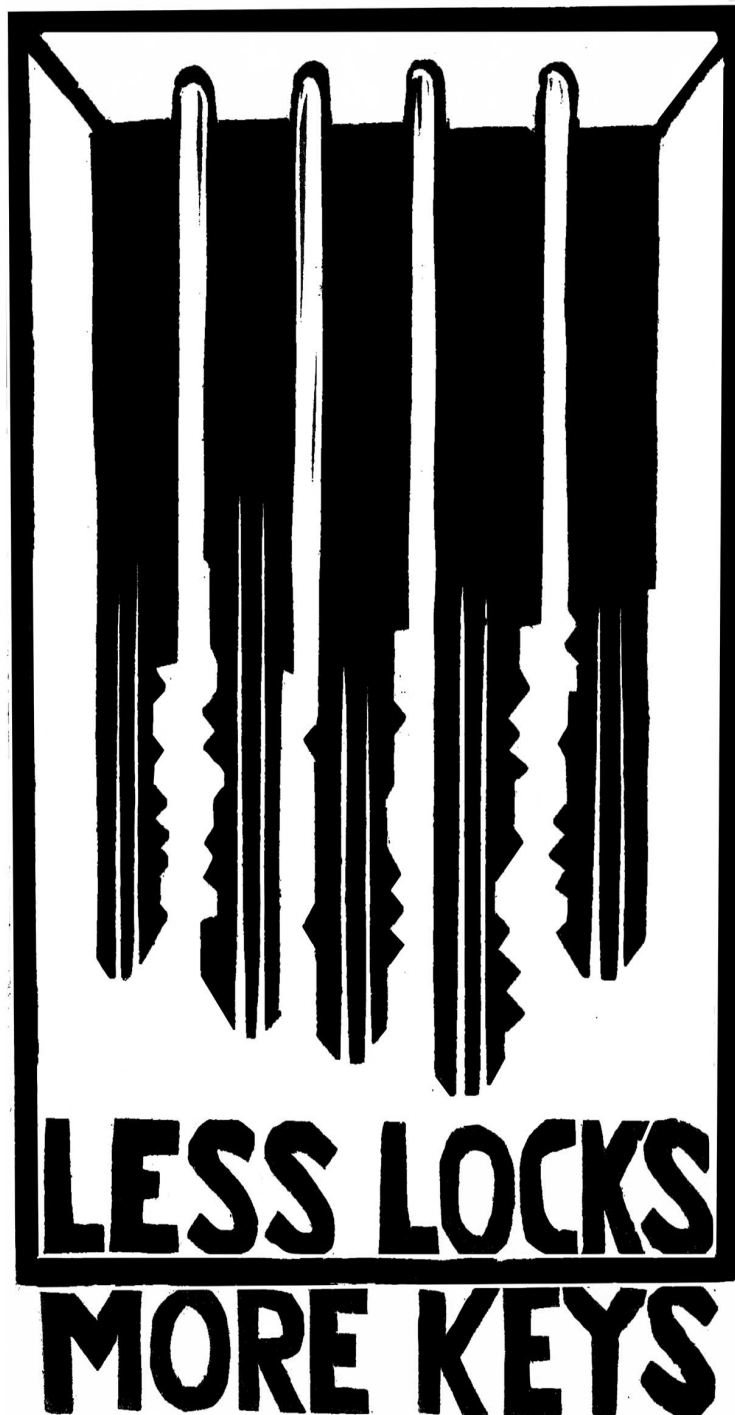


What attitudes and perspectives are required prior to integrating transformative justice as part of our regular practices?

harar : I think the first thing that we all have to do, and I think this is a really personal sort of process that everyone has to take, but it's an understanding that we are all going to cause harm at some point in our lives and that doesn't make us bad, but that also isn't a thing that we should run away from and it's not a thing that we should deny. I think if you hear you would cause harm at a point in your life and you're like : « not me, I'm a good person », then I think that you're probably going to engaged with transformative justice with the idea that some people are perpetrators, some people are victims, some people are harmed, some peoples are harmers, some people are perpetrators some people are survivors. And the fact of the matter is that we will all likely be these things in many different instances, and in many different configurations throughout our life. And we can't be stuck in the roles that we exist in an instance of harm. And so I think that that require a lot of self reflection and also constantly checking back in with yourself to remember that that is something that you still hold as a belief and the reason I think that that is a first step that is really important because I think it's gonna inform the way you treat other people when they have been harmed or when they have harmed someone. And I think that to engage in transformative justice I think a lot of us are very comfortable acting as supporters, as confident, as advocates for survivors, as for people who are in a position where they're hurting. I think it is much much harder to act as an advocate, as a confident, as an advocate of a person that has done something that we consider wrong, because we have been brought up in a society that has let us to believe that those people are bad and bad people don't deserve support, bad people

don't deserve advocacy. And so I think that if we can really put ourselves in a position that that could be us, and that probably will be us at some point in our life, I think it allows us to employ much more radical empathy in the work that we do. And so yeah, I think that that's really integral. I think that we also have to... It's hard because I say this and I also can think of a lot of times I when I haven't shown compassion for other people and shown compassion to myself, but I think that we have to hold a lot of compassion for the fact that we grew up and were socialized within a society that taught us punishment from a very young age, most of us, that taught us about prisons from a very young age in the games we played, in the books we read as a child, the shows we watched, carcerality and punishment is everywhere and we learn it at such a young age, before we even learn to speak. These things are deeply ingrained in us and I don't think we have to hate that about ourselves but I think we have to constantly check into that and think about when and how all the possibilities that we will bring that socialization into the work we do. And I don't think that means that we shouldn't try and that's it's going to never work, but I think it means that all the work we do is going to be imperfect and that's ok. I think it's ok because doing this imperfectly enough times is still going to be much better than carcerality. I will always choose imperfect transformative justice process over imprisoning someone. But more than that, I think we have to think about this as generational work and intergenerational work. And so if I can work really hard to constantly interrogate the ways that I've integrated punishment, into all of my interactions in the way that is something that I've been socialize to do and that I've thought about these dichotomies with bad and good and that also impacts the way I think about people, maybe I will never completely get rid of that within myself, but I can insure that I don't pass that

down to people younger than me. I can insure that I don't pass that down to the process that I create, to the communities I'm a part of, to the things that we're building. We may not be perfect but we can work really really hard to insure that we're not literally passing that trauma on, or passing that socialization on to the things that are gonna live beyond us. And I think that it's the work that we have to do.



Can you walk us through what a transformative justice process might look like in the case of murder?

harar :Ok, so I think that often times people sort of speak about transformative justice processes, and they think about you know this person stole from this other person but you know they're a low income person and that we all know that stealing is usually based on socio-economic factors and so we already operate with a lot, I think a lot more compassion for the person that has done the thing that we consider bad. So I'm gonna start with an example of murder, because I think that is something that is pretty irreversible, I would say, and has for sure caused harm and we often think of that as a really unforgivable act. And I think forgiveness is really important to transformative justice, but I don't think it is necessary for every single person to forgive a person that has harmed. I think that the difference between forgiveness and actively blocking a person for living their life and growing is actually a huge gap. It is the difference between an inaction and active opposition and I think that sometimes we have to sit with our inaction, like the fact that we hurting, but we don't get to oppose someone else's freedom.

And so the reason I'm speaking about murder is because I think it happens a lot, obviously, but I also think that instances of violence also happen a lot within marginalized communities and I think that we see disproportionate incarcerations for these things, for these crimes, and also, just huge amounts of harm that occurs to everyone involve. So I think that in instances of murder within a carceral system, it's pretty cut and dry. You call the cops on them. This person is usually then held and detained until their court date. That often times happen very very very far down the road and so people are often held and detained

whether or not they've have actually been proven guilty. But let say for the sake of this example this person has definitely done it, we know they've done it, and so eventually they're incarcerated and they receive their sentence, and obviously sentencing is not objective and is based on lots of things that have nothing to do with whether or not the person was guilty but often times their race, their socio-economic status, how much access they have. So for whatever reason this person then goes to jail and they wait out their sentence until they're released.

And when they're released, they have a record, and because murder is a violent crime, that is something that will never go away from their record. They can sometimes apply for a pardon, but pardons are really really expensive and so if they aren't wealthy they will be labelled a murderer and therefore will probably not be able to get a job, probably will no be able to secure housing. And so most people with violent crimes on their records end up committing a lot of other crimes. I'm taking, I think it's really important to go through the carceral process, because I fell like it's just the most devastation thing to think about the fact that single actions literally impact peoples lives and everyone around them for like 60, 70 , 80 years and then generations beyond because it impacts their children, it impacts their families. And so yeah, in that if they have children, their children grow up without a parent, their parent grow up, you know, maybe pass away, live without their child, their community, loses a person. I think a lot of people will also dedicate a lot of resources to try to make life as comfortable as possible for people that are incarcerated, so you also see a direct money coming away from the family that already has lost a bread winner to go towards trying to support someone that has been incarcerated. So I think that has really devastating impacts.

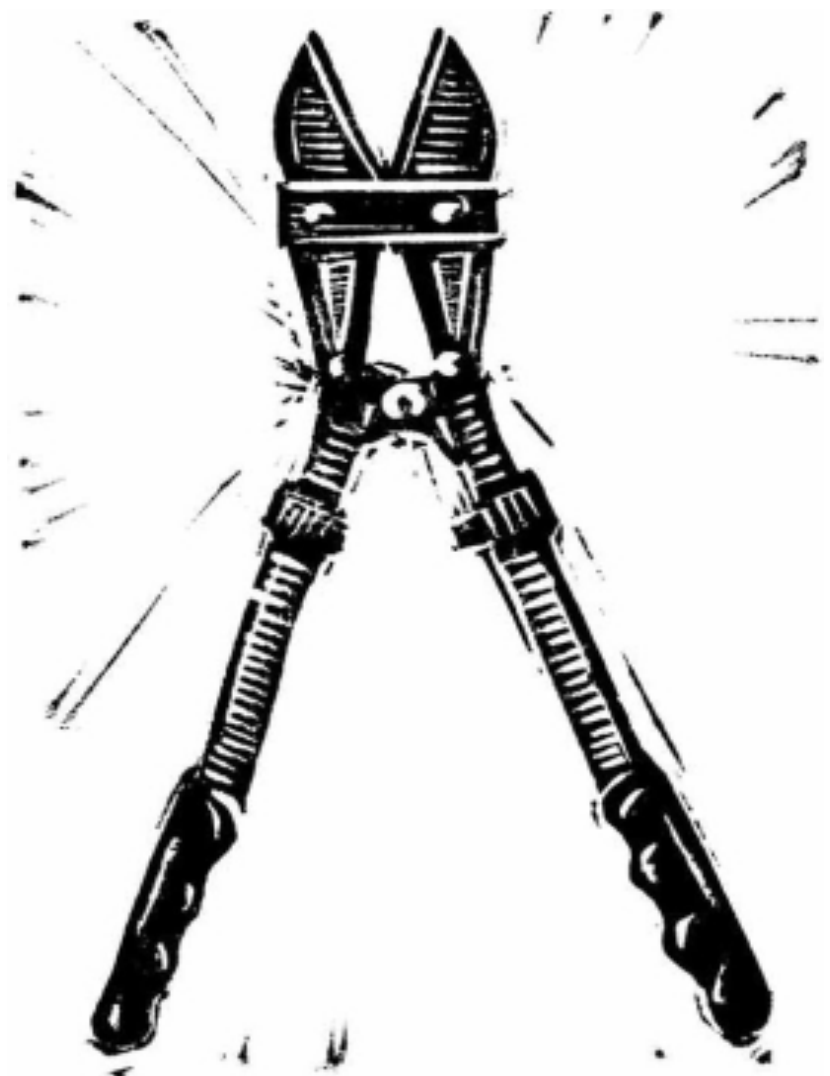


But I think on the side of the person that, the family and the community that has also lost someone, once the person goes to jail, they receive nothing. They do not receive support from the state, in terms of healing. They have to pay for their own therapy. They have to, you know, pay for their own funerals. They have to deal with their own mourning. I think that the state and the world tells them that they should direct all of this sadness in hatred towards the person that took this person away from them, and that all that pain they're feeling is that person's responsibility. And so, I say that all of this harm has occurred from a single instance that can really be addressed more thoroughly in a transformative justice process.

So going back to I think the initial instance of murder, a person is gone and another person has done it. I think that, I think first of all you have to really speak to this person and I think you have to ask them why they did it. Because very very very few people just go around and murdering other people for no reason. And I'm not saying that whether or not... the reasoning doesn't matter in terms of whether a transformative justice process is applied to them, but I think reasoning can actually help us find a lot of solutions for all of those other harmful impacts that we see rippling, so I think say this person is engaged in other criminal activity through organizations like gangs or like other criminal organizations and that's the reason that they did it, I think that there is actually a lot of work that needs to be done then as to why this person felt the need to kill another person within their sort of gang organization. I'm personally not anti or pro gang, I think the gangs can provide a lot of support to people that don't have it anywhere else. And I think that itself is also a failure of a community, that people don't find themselves accessing family, they don't find themselves accessing monetary support, they

don't find themselves accessing community or people that see them or recognize them as human and so then they turn to gangs.

But say it's not a gang, say it was an accident. Often times people still go to jail for manslaughter charges. I think if it's an accident, then that person doesn't need to be imprisoned for several years. They probably need a great deal of therapy. They need a great deal of support in healing because most people don't want to have killed someone and most people don't brush that off as no big deal. And so I think that the trauma that comes from also knowing that you've killed someone is something that needs to be addressed. And the worst possible way to address that, or the worst possible place is in a place where you're experiencing more violence and where you will likely be coerced to do something like that again.



Say it's due to mental illness, say it's due to uncontrolled things that are out of the persons control. I think that they also need support and healing and again prison is going to be the worst possible way to address that. But I think beyond that instance and what to do with that person, because I think it's also about addressing everyone else that has been impacted. So I think the transformative justice approach doesn't just look at how do we punish this person or how do we deal with this person that has done something wrong. It's like, ok, the harm isn't only that a person has died, a harm is that another family is going to exist without resources or community support. So instead of pouring money and time into lawyers and into, I don't know, imprisoning someone, let's pour that money and time and support into allowing this family to heal from the fact that they've lost someone, to ease the pain and the financial strain of needing to bury someone, of, you know, dealing with the fact that a lot of times people have to lose someone and they have to go back to work immediately, that they have to restructure their whole lives. A transformative justice process around murder would think about all of the ways that we can support the people that have lost someone, that isn't focused on punishment. And I think that the great thing about that is you'll see that people don't hold onto their anger and sadness in the same ways, or they aren't constantly feeling the effects of that lost over time. I'm not saying that they ever have to forgive the person that did it. But I don't think that they're actively seeking out vengeance in the same way because, vengeance, they're not, they're not feeling all of the other things that they have to deal with around their sadness. Which is really the only thing we should be addressing at that point, because, that's so hard, right?

Transformative justice processes require a lot of time, skill, and emotional and mental energy. How can we work towards building sustainability and making them largely accessible (and ensure this isn't left to non-men and survivors or potential victims of similar harm)?

harar : I think that moving through and supporting people through transformative justice processes is a skill, and is a skill that we all should be interested in building. I think that the reason that often time this work is left to non-man, is often left to survivors, to people that have experienced harm is because they already know what it is to be left down by the carceral process and because they have a vested interest in an alternative and so I think that the way that we have this sustainable is through having as many people with this skill set as possible. I think the reason that often times it is really draining, it can be really costly is because there aren't a lot of practitioners within our communities that have a lot of experience doing this work. I do think it is a thing that you have to do a lot to get better at, I think it is one of those things that's the only way because you learn from experience, you learn from examples. If we are thinking about the mental and the emotion energy, I think it is easier when we have support from a large team, and I think that most transformative justice processes that are effective and go well are supported by large teams, so they are supported by pods for both the perpetrator and the survivor — the person that was harmed. They have multiple facilitators and multiple people that can sort of trade off on the emotional labor. They account for the fact that these processes can take years and that one person can't do this over several years without any breaks or any support. We need to build capacity in our communities so that it isn't mentally exhausting, so that it isn't emotionally exhausting,

and that we have as many people as possible that are able to do this work. I also think that that allows for more people to take ownership of transformative justice and really build upon it. I think it's harmful if any sort of community process that is based in the healing of everyone is left to certain people, and they're the only ones that can be considered the experts on it. I think that we all have to be equally invested and I think that also means that men and people who may be sometimes like "Oh, I am more interested in actions, or tearing down the system" and I am like well "if we are tearing down the system this is what will replace it, and you can't just be interested in tearing, you have to be interested in building". And so I think that making this a practice that everyone is skilled at is how we deal with those issues of sustainability.

How much does transformative justice hinge on voluntary participation from a person who caused harm? What happens when they refuse to be held accountable or don't want to participate in the process?

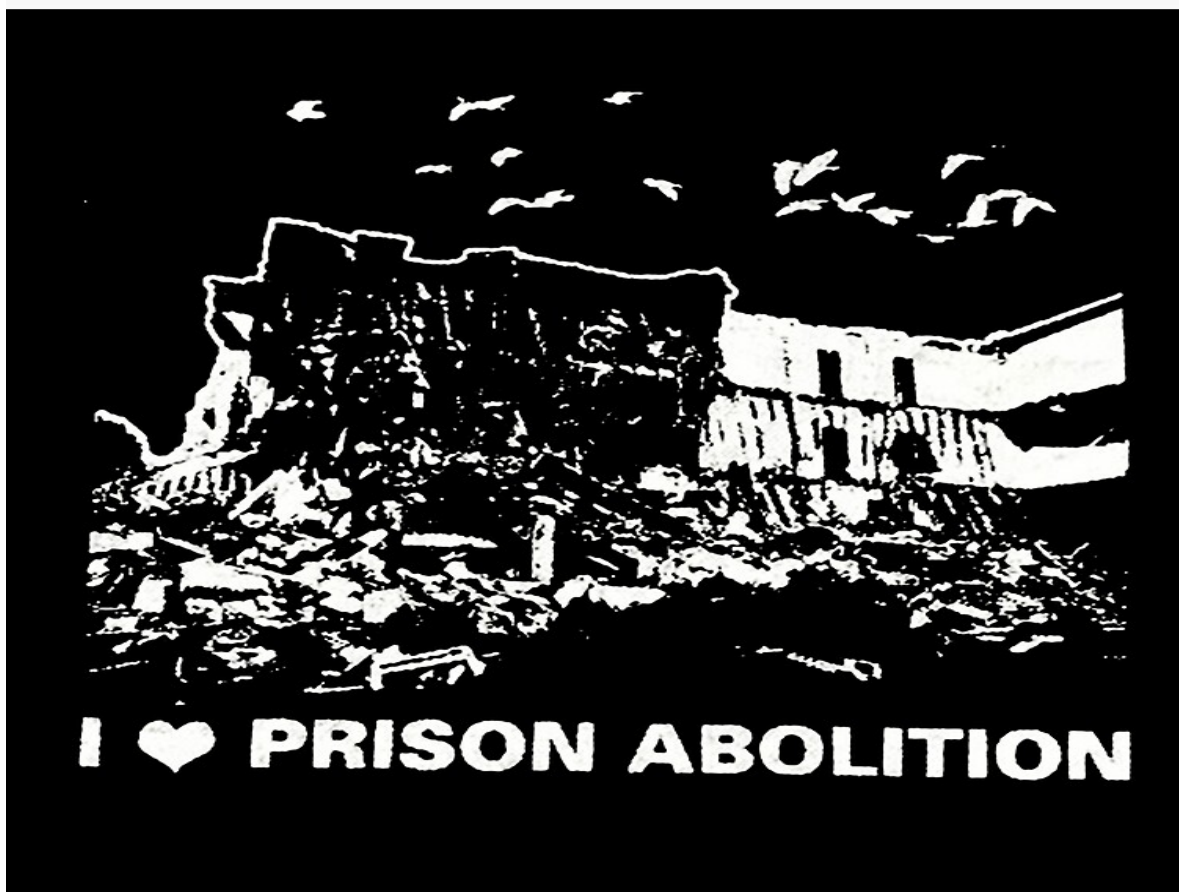
harar :I really love this question, it made me think a little bit because I think it's central to the process, but I don't think it is necessary. And the reason I say that is because I think it can be a little bit of a cop-out for people to be like well "the person that did the harming doesn't want to sit down, so I guess no transformative justice and they are an abuser now and we are going to discard them". I think that's actually really easy and still leans toward punitive thinking. I think we need to create transformative justice processes that exist in absence of a person who has done harm contemplating to be a part of that process. It doesn't mean forcing them to be in the process but it



means what does our healing and care look like when one person that is in part of this puzzle doesn't want to be part of it. How do we still turn inwards and reflect on our community and say "okay but how did we enable for this to happen?" or "do we decide that this person is an abuser and abusers are just gonna be abusive and if we get rid of all suddenly our community won't experience harm". Are we still going to offer the same support for a person that does not just hinge on them taking vengeance on the other person or we are going to offer healing for them outside of that harm that occurred, are we gonna hold space for their healing if that does not focus on blaming the other person, that does not make that person central to all further experiencing. I think that having that person is great and I love the idea of people taking accountability for their actions but I also think that we need to be compassionate and realistic about the fact that it is hard to hear that you've hurt people in ways that you never thought you would hurt people. I think if we want people to run towards accountability we need to create a process that people can also come back and be part of this transformative justice process even after they refused. Do we allow for people to run away from accountability and then run back towards it. Are we gonna say no, "you missed your chance and now no one wants to offer you healing, you missed your chance and now you are an abuser forever". I think that that is like I said it is a cop-out and I think that we have to be more imaginative and create more robust processes for support and for healing that go beyond one person because I don't think that one person not engaging should be enough should be enough to blow up a whole process, and if it is, then it wasn't strong enough to begin.

Are there ways in which transformative justice can be miss-used for punishment (e.g. applying sexual violence accountability methods and principles to situations that aren't that, demanding exclusion from spaces out of retribution rather than safety, etc.) and how can we build robust processes to avoid this?

harar :I think that this happens a lot, it happens that people apply carceral thinking in sort of punitive measures to transformative justice processes a lot. But I'm also gonna say I don't think they do it intentionally. I think that it kind of goes back to what I was saying earlier where we were socialized under this process and we don't even realize how deep it runs until we are perverting or ruining this beautiful thing that we are imagining with those same ideas that we have not interrogated yet. I think it happens a lot within instances of sexual violence because we want to support survivors and we want people to feel safe and we want people to feel held and we believe that that somehow runs



oppositional to the healing of an other person that has done that harm. So I think that in terms of avoiding it, I think it's scary because it happens a lot but I think also means that we have to call it out, like in a really kind way. I think it is so hard to call-out, and people do calling-in versus calling-out, I think we need to call out with kindness. I think we need to be really loud about the fact that we see something happening that's really wrong, but also being like : "I don't think you are doing this because you are bad, I don't think you are doing this because you are a fake transformative justice practitioner, I don't think you are doing this because you're trying to ruin this thing, I think you are doing this because maybe you don't realize it or I think you are doing this because you're hurting and you don't have enough support and you don't have enough resources, and you also need to pay rent and you also need to do your job", and all of those things are really really hard while also trying to support a person that you don't like because they just sexually assaulted your friend. It is okay that you're struggling with this, but we have to find a better way.

It does mean that we need to call these things out. I think that demanding exclusion from spaces is really interesting. I find that this is kind of where restorative justice and transformative justice get a little prickly, and used interchangeably. And I see often times restorative justice principles where we prioritize a victim or a survivor (or a person that's harmed) above all else, and I think that that can't be actually sustainable in transformative justice. I think that say banning someone, or excluding someone from a space, does make sense within a restorative justice. That's what a sense of justice means to a survivor, to a victim or a person that was harmed; that is what they need for justice to be restored. I think that the problem is

that when we exclude people from space, specifically communities, we forget about why we have communities in the first place, that is to keep people safe, to allow people to grow, to provide people healing and support, often times community also takes the place of family for people that don't have biological families or who are estranged from biological families or aren't being held or seen by their biological family. And so to cut someone off from community is going to replicate that harm to other people that don't have community, to other people that are parts of other communities. I think that if we want to create robust practices, we always have to think what is the goal of our action. It's not enough to give someone what they say they need because they've been harmed, we have to be like what is the goal, what is the impact. It's like "does this person not need to be in this space or do you need to be feel supported and helped when you are part of your community. Okay, you have proposed a solution of not having this person around, we don't think we can really do that, but how can we support you and hold you so that this person's presence doesn't bother you. Maybe it's that you both have access to the space but you're gonna be on separate days so you don't have to run on each other and be re-traumatized. Maybe it's that this person is gonna operate in a different role in that space. I think that we have to be more innovative about how we think of meeting peoples' needs beyond, one, just giving them what they think they want but also beyond taking the easy route, because I think that when we return to punitive measures, when we return to carcerality, it is often the easiest thing to do, it is the thing that is hardwired in our brain, it is the quick solution, and I don't think transformative justice is built on quick solutions. It is usually long and exhaustive processes and trying a bunch of things until it works; until all have what we need.

When is transformative justice not needed?

harar :I think that in instances of harm, transformative justice is probably always needed. I think that sometimes we don't always have the resources or we don't have the time to create an effective or honest process. But I don't think that means that we don't need it, I think it means that we're lacking something to make it the best thing it can be. I think though, that in instances of hurt, transformative justice isn't needed and I think that it can be really hard to look inward and say "did this person harm me or did this person hurt me?". And sometimes harm and hurt overlap, I don't think it's cut and dry, but I do think that we all have to do that work of not bringing justice or calling for justice or calling for accountability for really human interactions like someone broke your heart or your friend was not a good friend to you or someone was unkind in a way that made you not trust them. I think that these are parts of having relationships with people, it's part of intimacy, it's part of closeness. I think it's actually really impossible to be close with people, to have intimate relationships with people and not experience hurt. I think it's part of human experience, and when we try to rectify hurt with transformative justice, I think we actually make it so that people close themselves off to others because they're so worried that every instance of hurt is going to be met with an accountability process or a public call-out, that they're not opening themselves up to people. I think that our communities are built on our relationships and our relationships are built on trust and they're based on emotional growth. And so if we're not allowing ourselves to be hurt if we are not allowing ourselves to grow emotionally and to differentiate between those two things that are happening, I think we run the risk of ruining the really

beautiful thing that transformative justice can be for our community.

What are the possibilities and limits of transformative justice under carceral capitalism?

harar : I think it's really important to remember that transformative justice wasn't meant to exist under capitalism and our idealized form of transformative justice is always going to be in a world without capitalism, colonialism and imperial powers because I think that is the only way we can really thrive. With that in mind, I feel like it is so important to build this into our liberation movements, into the work that we are doing now, because it's actually really hard in any sort of revolution that has ever happened throughout history to suddenly flip the switch. It's really hard to be like "we've burn it all down and now we're just going to create something new", if no one has ever practice at working on things. And so I think we should always think about the integration of transformative justice into our communities, into our organizations as practice towards application in a better world. The only way we are going to know how it works, and I mean not perfectly, I don't really believe in perfection, but better or in an idealized form, is by stumbling, by seeing ourselves fail, by seeing ourselves mess up, by seeing us maybe conflate harm and hurt, by seeing us run towards carcerality when we see extreme sort of harm and then running back towards transformative justice. All of this work is really necessary because no good system that works for everyone (and I think transformative justice needs to works for everyone) was built exclusively in books, it can't just be talked about, it can't just be a thing we hold in our hearts until the time when we are free from capitalism. I think we have to constantly be putting it into

practice, we have to constantly be work-shopping it so that it can be better. So yeah I think that's why it is both a tool for liberation but it's also something that will grow under our process of liberation, if that makes sense. I think it's hard because, and I feel this way all the time when I think about the fact that specific people who are transformative justice practitioners, so much of the work is convincing people that something else is possible. So much of it is constantly reminding people that you have to think beyond what we have been told is possible, what exists currently, the circumstances of the world in which we exist today, and then we have to apply this thing that should never really exist in the system, within the system, so we can get there. But I think that that sort of work is really really necessary because I don't believe that we can just continue chugging along in the system and do what we need to do until one day we're free of it and we're gonna operate in that world perfectly or we're gonna operate in that world without bringing all of the things that we are currently carrying into that world. I think it's care for our future selves and for the people that come after us to do this work now. So that when we get to a point of liberation, that they don't have to do that work for us. I think this is really iterative.

Though transformative justice can't be fully nor widely functional under capitalism, it's important to implement it to the best of our abilities as we build towards a revolution, in the fight for liberation and against oppressive systems and institutions. We want communities and movements to be resilient and not fall apart when internal harm occurs and isn't dealt with properly. Enemies and the state can also weaponize instances of harm within movements or communities to either discredit them or justify their own violence against them. By putting in place

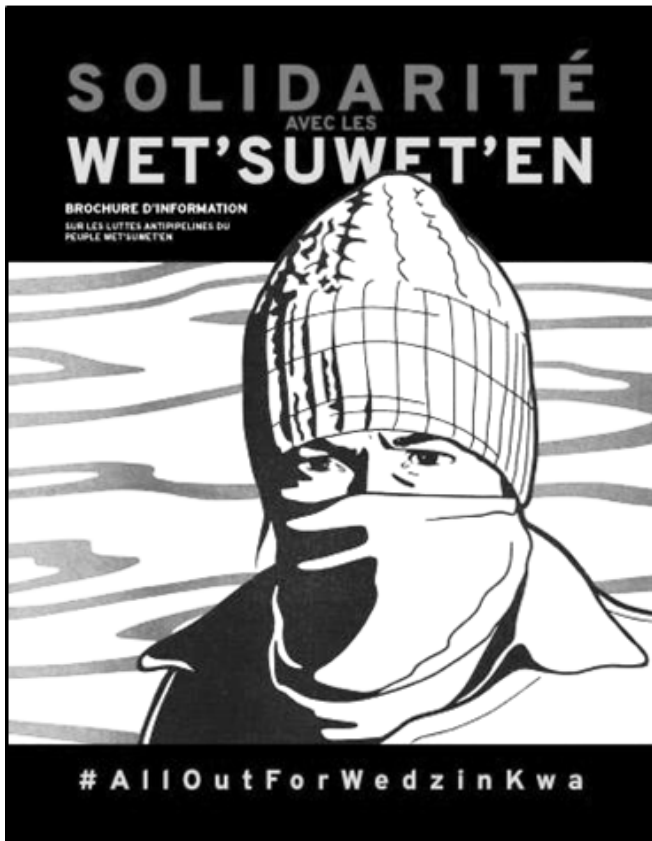
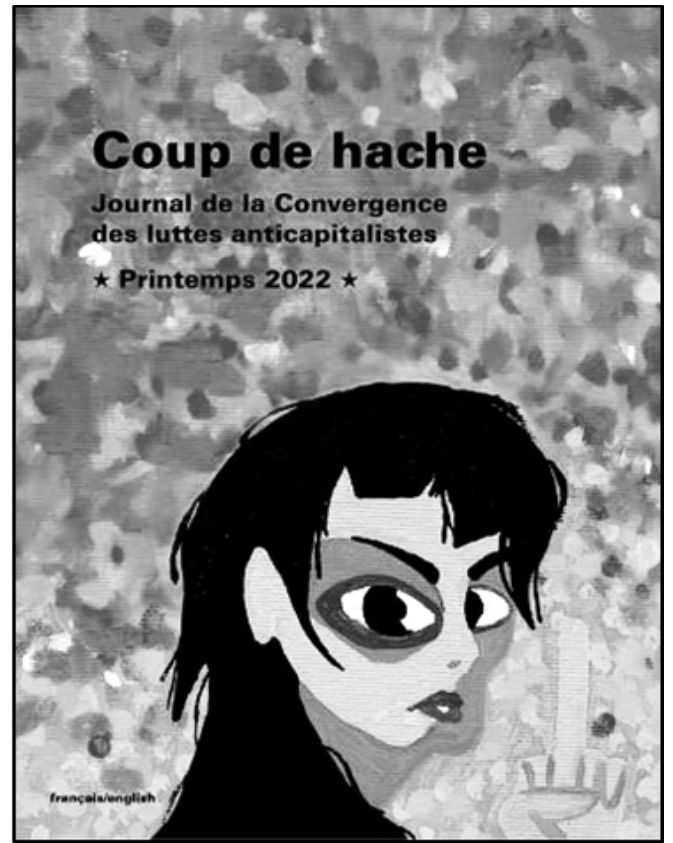
mechanisms to deal with those situations early we are making resistance communities better places and showing that our solutions are effective at creating better and more just communities, contrary to state policing.

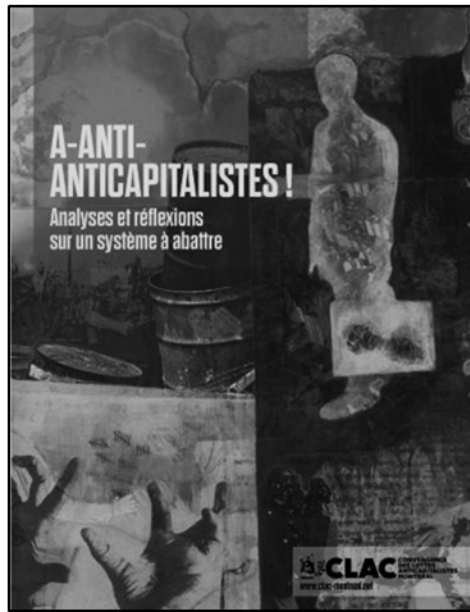
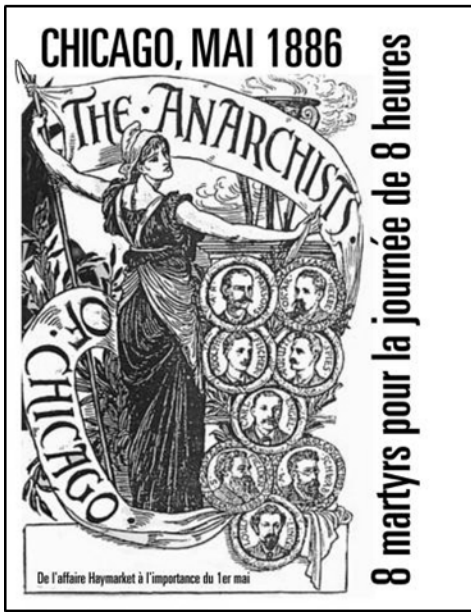
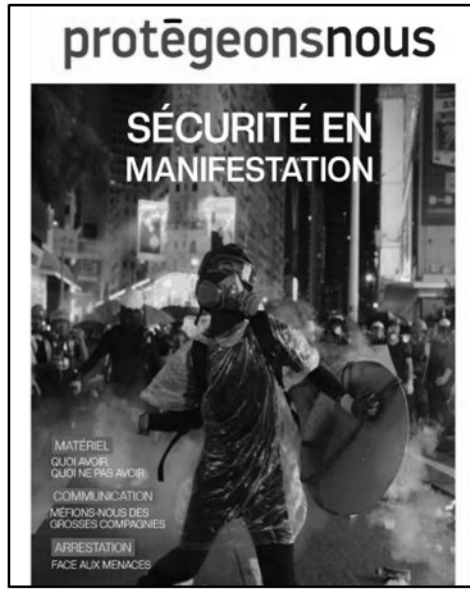
A strong social movement isn't only a matter of mobilizing, but also a matter of dealing with the mess we leave sometimes. Let's grow up as a social movement and let's take care of ourselves.

We go into all of this in other episodes of The Whole Orchard (Le verger au complet) podcast. You can find it anywhere you listen to your favorite podcasts or directly on <https://www.clac-montreal.net/en/orchard>. We also invite you to share our zines and check out the "Publications" section of our website!



Other publications by CLAC :





Our texts, zines, stickers and posters are all free and can be downloaded on our website : clac-montreal.net. Physical copies can also be found at the DIRA anarchist library, Centre social Anarchiste l'Achoppe, and in offices of many student unions (AFESH-UQAM, AGECEVM, SOGEECOM, etc.) or in the offices of QPIRG Concordia, and are often distributed during political events such as the Montreal Anarchist Bookfair and smaller zine airs.