

# **Toward Transformative Justice**

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

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

**June 2007**





A donation of \$3 is requested to cover costs

For more information on the work of  
Generation FIVE, contact us at:



**This document is dedicated to Generation FIVE activists, staff and Board members.**

Thank you for your willingness to hold a vision of Transformative Justice approaches to addressing child sexual abuse, a form of violence that has had devastating effects on our lives, families and communities, and your commitment to standing up in your own intimate, community and movement networks and challenging us to imagine and then create something transformative.

**“Toward Transformative Justice” is the product of collective thinking, writing, and editing by:**

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- ▶ **Creative Interventions** for a commitment to developing and implementing the alternative processes we seek to address incidents of intimate violence and for challenging U.S. to move from preparation to implementation despite all the questions.
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## Voices of Women

Battered Women's Resource Center  
 Voices of Women Organizing Project  
 328 Flatbush Avenue, Suite 342, Brooklyn, NY 11238  
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 Fax: (212) 696-1482  
 E-mail: [vowbwrc@aol.com](mailto:vowbwrc@aol.com) [www.vowbwrc.org](http://www.vowbwrc.org)

The Voices of Women Organizing Project, known as VOW, is the first initiative of the Battered Women's Resource Center, a nonprofit that works to empower survivors of domestic violence. VOW supports survivors of domestic violence as they lead efforts to end violence, shape policies and improve services for battered women. The Voices of Women Organizing Project gives a voice to survivors of domestic violence, so that we can influence, change, and improve the many systems battered women and their children rely on for safety and justice.

## DVDs

Amandla! a Revolution in Four-Part Harmony (2002)  
 Rabbit-Proof Fence (2002)  
 Boys Don't Cry (1999)  
 Monster (2003)  
 Murder on a Sunday Morning (2001)  
 Once Were Warriors (1995)  
 The ShowPeace Series

The National Film Board of Canada: 1) Bully Dance - 10 min. Issues of peer pressure, accountability, and imbalance of power are explored in a story that deals with a very sensitive and pervasive problem. 2) Dinner for Two - 7 min. Peaceful ways of resolving conflict are explored, resolution is possible with the help of a mediator. 3) When the Dust Settle - 7 min. Issues of anger and revenge are explored as community disputes are faced. 4) Elbow Room - 9 min. Common approaches to interpersonal tensions are explored.

The Woodsman (2004)

## Abstract

This paper offers a substantive discussion on the liberatory politic of Transformative Justice. Transformative Justice, as defined in this paper, is premised on the idea that individual justice and collective liberation are equally important, mutually supportive, and fundamentally intertwined—the achievement of one is impossible without the achievement of the other. We believe that Transformative Justice presents us with a politic and model to heal the trauma of past violence, reduce the level of violence we experience, and mobilize masses of people.

Transformative Justice is a response to the State's inability to provide justice on either individual or collective levels. Therefore, in this paper, we propose a model that responds to experiences of violence without relying on current State systems. We believe this to be a liberating politic that creates opportunities for healing and transformation rather than retribution and punishment. Transformative Justice moves us toward equity and liberation rather than maintaining the inequality that the current State and systems maintain.

The development of the Transformative Justice model is rooted in Generation FIVE's substantive work on the personal and the political realities of child sexual abuse. One of the most intimate, stigmatized, and demonized forms of violence, child sexual abuse continues to be pervasive and persistent across nations, 'race', class, religions, and cultures. For a variety of reasons, including the State's inability to create solutions that families and communities will use, people rarely report child sexual abuse.

When they do report, they do not get the justice, safety, or change they seek. In addition to the State's inability to address the needs of those who have been sexually abused, future violence is not prevented due to the lack of opportunities for transformation of individuals, relationships, families, or communities. As a result of this and the lack of viable alternatives, rates of child sexual abuse remain epidemic.

This paper focuses on ways to secure both individual and social justice in cases of child sexual abuse. We assert that Transformative Justice is a way not only to address incidents of abuse but also to prevent further abuse by working on the social conditions that perpetuate and are perpetuated by child sexual abuse. Transformative Justice is also about building the capacity of individuals and collectives to address larger conditions of inequality and injustice as well as to challenge State violence.

**Section One** explains Transformative Justice and argues the need for liberatory approaches to violence, in particular child sexual abuse. This section speaks to the urgency of addressing child sexual abuse as part of our liberation struggles, both as a specific form of violence that reflects and perpetuates multiple forms of oppression and as one that is exploited by the Right. A liberatory approach to child sexual abuse uniquely positions us to resist this exploitation.

**Section Two** describes in detail the core principles of a Transformative Justice model. These include: liberation, shifting power, safety, accountability, collective action, honoring diversity and sustainability.

**Section Three** proposes a set of practices to address child sexual abuse in a transformative way. Practices of Transformative Justice include: building a Collective, preparation and capacity building, naming and defining child sexual abuse, conducting assessment, developing a safety strategy, supporting healing and resilience, holding accountability, working for community transformation as well as strengthening collective resistance.

The **Conclusion** offers next steps toward integrating Transformative Justice into intimate, activist and community networks, as well as mass-base and community organizations and the sexual and domestic violence sectors.

## Introduction

### About Generation FIVE

Generation FIVE's vision is to end the sexual abuse of children within five generations. Generation FIVE approaches all of its work within a Transformative Justice framework. We seek to provide individual justice in cases of child sexual abuse while transforming the social conditions that perpetuate it. Rather than perpetuate the isolation of this issue, we integrate child sexual abuse prevention into social movements and community organizing targeting intimate and state violence, economic and racial oppression, gender injustice, as well as age-based and cultural discrimination.<sup>1</sup>

Generation FIVE works to interrupt and mend the intergenerational impact of child sexual abuse on individuals, families, and communities. We do this through survivor and bystander<sup>2</sup> leadership development, community prevention and intervention, public education and action, and cross-movement building. It is our belief that meaningful community response is the key to effective prevention.

Generation FIVE collaborates with diverse mass-base and community-based organizations and social justice movements to help to build their capacity to respond to and prevent violence, especially child sexual abuse, in their work. We build such capacity through training,

technical assistance, organizing, strategy development, and coalition and cross movement-building. Because we recognize local communities as the only viable site for the implementation of Transformative Justice, our current sites of practice are the Bay Area and Atlanta. For a description of Generation FIVE's core assumptions and programs, see Appendix B.

### Purposes of this paper

The intent of the paper is to envision liberation from violence in our lives, relationships, communities and our social justice movements.

The intent of the paper is to envision liberation from violence in our lives, relationships, communities and our social justice movements. To do this, we must create processes and institutions for individual and social justice that confront State and systemic violence. We hope that the Transformative Justice framework presented in this paper will allow us all to begin to implement liberatory approaches to violence by:

- ▶ Developing campaigns to challenge the conditions that perpetuate all forms of violence; and
- ▶ Addressing intimate, interpersonal and community violence in ways that do not collude with State and systemic violence.<sup>3</sup>

This paper argues for building the capacity of communities and social movements to use a Transformative Justice approach to address cases of violence and abuses of power—regardless of

<sup>1</sup> Generation FIVE defines "community" as a group of people in relationships based on common experience, identity, geography, values, beliefs, and/or politics.

<sup>2</sup> Generation FIVE uses the term Bystanders to refer to people who are not immediately involved in a situation but could be engaged to prevent or respond to violence and become allies. This could be other family or community members. Creating a collective force to prevent and respond to violence, including child sexual abuse, depends on an effective mobilization of bystanders.

<sup>3</sup> Intimate violence includes physical, emotional, and sexual abuse of children, elders, and people with disabilities by people known to them. It includes intimate partner abuse, sexual violence committed in the context of a relationship, marital rape. Interpersonal violence includes various forms of violence that occurs between people in non-intimate relationships, usually in places of employment, community networks or institutions, or activist circles. Community violence is committed against a group and can be defined in relation to community-wide conditions that foster violence, such as the drug economy and gun availability. Such violence could include street-based violence, intimidation of communities, harassment, or targeting. These forms of violence are overlapping. Hate crimes, between people and against communities, are examples of both interpersonal and community violence. Sexual violence in a community religious institution could be intimate, interpersonal, and community violence.

### Queer Progressive Agenda

[www.intersexion.org](http://www.intersexion.org)

We are a queer-led strategy and action center that makes the most of our different backgrounds, experiences, and relationships to build and maintain a powerful progressive grassroots base, in order to create lasting social change that ends exploitation and makes sure our shared resources are used and distributed fairly.

### Raksha, Inc.: Break the Silence Project

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Raksha -- meaning "protection" in several South Asian languages -- is a Georgia-based nonprofit organization for the South Asian Community. Raksha's mission is to promote a stronger and healthier South Asian community through confidential support services, education, and advocacy. Guided by values of consensus in decision-making, diversity in leadership, and the dignity and worth of every individual, Raksha strives to empower and serve the South Asian community. Raksha's Breaking the Silence Project is a community-based initiative to address Child Sexual Abuse (CSA) in the South Asian community. BSP is driven by a community collective of survivors and allies under a guiding framework of community and bystander accountability, violence prevention, social justice, and resiliency in the face of trauma to address the impact of CSA.

### The Sentencing Project (SP)

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SP is an independent source of criminal justice policy analysis, data and program information for the public and policy makers. The SP website is designed to provide resources and information for the news media and a public concerned with criminal justice and sentencing issues.

### Sista II Sista

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Sista II Sista is a Brooklyn-wide community based organization located in Bushwick. We are a collective of working class young and adult women of color building together a model of society based on liberation and love. Our organization is dedicated to working with young women to develop personal, spiritual, and collective power. We are committed to fighting for justice and creating alternatives to the systems we live in by making social, cultural, and political change.



court system, or prison industry. The Harm Free Zone practices an abolitionist approach to developing communities, which means building models today that can represent how we want to live now and in the future.

### INCITE!

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INCITE! Women of Color Against Violence is a national activist organization of radical feminists of color advancing a movement to end violence against women of color and their communities through direct action, critical dialogue and grassroots organizing. By supporting grassroots organizing, we intend to advance a national movement to nurture the health and well-being of communities of color. Through the efforts of INCITE!, women of color and our communities will move closer towards global peace, justice and liberation.

### Justice Now!

Email: [justicenow4@yahoo.com](mailto:justicenow4@yahoo.com) [www.justicenow4.com](http://www.justicenow4.com)

Justice Now is an organization with a mission of helping victims of injustice and exposing unethical and illegal activity in the courtroom perpetrated by the very people who are appointed to uphold the rules and structure of the criminal justice system.

### National Call To Action (NCTA)

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NCTA is a coalition of organizations and individuals dedicated to ensure that children flourish free from abuse and neglect through the promotion of research-based policy. NCTA has developed a National Action Plan to reduce child abuse and neglect by: preventing maltreatment; protecting children by improving effective service interventions; and, healing children by bringing to scale necessary aftercare efforts.

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Project South is a leadership development organization based in the US South creating spaces for movement building. We work with communities pushed forward by the struggle to strengthen leadership and provide popular political & economic education for personal & social transformation. We build relationships with organizations and networks across the US and global South to inform our local work and to engage in bottom-up movement building for social & economic justice.

the specific work in which they are engaged. We hope that sharing this paper will help to initiate conversations and relationships with people whom Generation FIVE might partner with to pilot intervention models and Transformative Justice approaches in their own locations.

Generation FIVE presents this paper in the hope that Transformative Justice will seem both relevant and possible, and that ideas and partners for application will emerge.

### Note to readers

We firmly believe that the analysis, framework, principles, and practices of a political project can be developed only so far without a site of practice and application. The Transformative Justice analysis in this paper is informed by:

- ▶ the personal experiences of Generation FIVE staff, activists, Board, and allies;
- ▶ our participation in developing strategic responses to incidents of child sexual abuse; and
- ▶ the experiences of our activist networks in implementing education and prevention campaigns.

This experience is reflected in the paper's emphasis on child sexual abuse within families and intimate relationships. Not only are these by far the most common forms of child sexual abuse; they are also the most hidden. While the challenges of applying Transformative Justice in cases of stranger molestation and trans-national sexual exploitation of children are not specifically addressed in this paper, we at Generation FIVE are clear that these are important areas of work that need further development.

The experiences that inform this paper are also reflected in its U.S. specificity. In describing the histories of oppression that shape current experiences of violence, as well as the functions of the State and key social institutions such as the Family in maintaining this violence, the paper is explicitly describing the U.S. contexts that have given rise to this Transformative Justice approach. We at Generation FIVE recognize the diversity of State, community and family formations across

the world. While we hope that the ideas, principles and practices discussed in this paper may be useful for people in other national contexts, we are clear that Transformative Justice must grow out of a locally specific analysis of violence and oppression and of the challenges for individual and social justice.

**This document is not intended be a “how to” manual for implementing a transformative approach to justice.** At the time of publication, we at Generation FIVE have not yet been on the ground, piloting and evaluating Transformative Justice models. Instead, we have taken the time to study and evaluate existing models while preparing ourselves politically, emotionally, and organizationally to implement and sustain responses over time. Over the next five years, our goal is to evaluate our pilots and have replicable models and examples of intervention in incidents, political organizing, and campaign work.

We offer this paper as a representation of our best thinking and learning given our experience and current stage of development. We look forward to your feedback and the lessons we will learn together as we begin to implement the work of Transformative Justice together.

### History of Generation FIVE's approach

Generation FIVE's commitment to the prevention of child sexual abuse has always been rooted in the understanding that violence prevention requires us to challenge the very conditions that allow violence to occur. Our community and movement-building trainings have consistently been grounded in this perspective. As we supported people in identifying, and working to transform, those conditions, cases of child sexual abuse surfaced. We then recognized the need to develop a community intervention model that aligned with our politics. It proved unviable to only advocate for a broader transformation without responding to the material conditions of violence in people's lives.

We developed our Transformative Justice analysis in partnership with others seeking justice

alternatives that could truly transform power relations both intimately and more broadly—especially those who understood that these alternatives could be mutually reinforcing. This included activists and organizers from radical anti-violence and prison abolitionist organizations in the San Francisco Bay Area, including San Francisco Women Against Rape, Critical Resistance, INCITE! Women of Color Against Violence (INCITE), Justice NOW, and anti-violence activists Paul Kivel and Sujatha Jesudason, among others.

At the same time, we also examined existing alternative justice models. Our investigation began with a conversation about

Restorative Justice because this was the framework with which we were most familiar. While this approach offered us a valuable starting point, we quickly rejected Restorative Justice models because of their co-optation by the State (see pages 21-22 for more information on Restorative Justice). We also questioned the implication that a sense of justice had been present in the past that it was possible to restore.

We then spent two years studying existing alternative models of justice—such as Hollow Waters (a model by First Nations people in Canada), INCITE, the Mennonite Circles of Support and Accountability, Navajo Peacemaking processes, as well as Cuba's neighborhood Committees for the Defense of the Revolution. It is this process that led us to develop the ideas presented in the following pages.

After three years of struggling with these ideas, both within Generation FIVE and in our

larger network, we developed a definition of and a rationale for Transformative Justice and drafted a set of principles and practices for this political approach. Central to this work was the premise that Transformative Justice must respond to the need to transform the violent conditions and dynamics of our lives—such as racism, colonization,<sup>4</sup> patriarchy, and heterosexism—in order to achieve justice at every level.

In 2004, Generation FIVE held a national convening to evolve a framework, principles, and practices for a Transformative Justice approach to child sexual abuse. Members represented over 15 organizations, working in

criminal justice reform, family and community violence, and men's anti-violence work across diverse communities and populations. Participants from the convening reviewed and revised an initial draft of this paper. Since then, Generation FIVE activists on the ground in Atlanta, New York City, and the San Francisco Bay Area have continued to grapple with this model and how it might most effectively be adapted as it is applied in various settings, circumstances and communities.

Our work toward implementation has been significantly informed by our partnership with Creative Interventions and the work of Harm Free Zones in New York City. The work of our diverse network of partners continues to inform this project.

We also questioned the implication that a sense of justice had been present in the past that it was possible to restore.

<sup>4</sup>Within the context of the United States, colonization refers to the historic and continued decimation of Native American people and culture and the appropriation of their land. The legacy of colonization of other lands continues to impact the people and communities of those lands living in the United States through its impacts including dislocation and disconnection of people from their countries and families of origin, destruction of culture and family structures, and internalization of the racism and exploitation suffered. The Prison Industrial Complex is an internal colonizing project that extracts free labor from poor communities, largely of color, inside of the United States. More broadly, these communities experience a modern form of colonization in the form of displacement as a result of gentrification and the extraction of cheap labor.

## FIERCE!

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Email: [info@fiercenyc.org](mailto:info@fiercenyc.org) [www.fiercenyc.org](http://www.fiercenyc.org)

FIERCE! is a community organization for Transgender, Lesbian, Gay, Bisexual, Two Spirit, Queen, and Questioning (TLGBTSQQ) youth of color in New York City. We are dedicated to exploring and building power in our communities through a mix of leadership development, artistic and cultural activism, political education, and campaign development while taking care of ourselves and each other. We take on the institutions that perpetuate transphobia, homophobia, racism, ethnic conflict, gender bias, economic injustice, ageism, and the spread of HIV, STIs, STDs, and other mental and physical health crises — that make daily survival a terrifying challenge for many TLGBTSQQ youth. FIERCE organizes against the injustices of the criminal "justice" system, housing, employment, education, and healthcare systems. We believe in ethic of organizing by us, for us. Now that's FIERCE!

## Generation FIVE

3288 21st Street, #171, San Francisco, CA 94110  
Phone: (415) 861-6658  
Fax: (415) 861-6659  
Email: [info@generationFIVE.org](mailto:info@generationFIVE.org) [www.generationFIVE.org](http://www.generationFIVE.org)

Generation FIVE's mission is to end the sexual abuse of children within five generations. Through survivor and bystander leadership development, community prevention and intervention, public education and action, and cross-movement building generation FIVE works to interrupt and mend the intergenerational impact of child sexual abuse on individuals, families, and communities. Rather than perpetuate the isolation of this issue, we integrate child sexual abuse prevention into social movements and community organizing targeting family violence, economic and racial oppression, and gender, age-based and cultural discrimination. It is our belief that meaningful community response is the key to effective prevention.

## Georgians for Choice

P.O. Box 8551, Atlanta, GA 31106  
Phone: (404) 532-0022 Fax: (404) 532-0025  
[gchoice@mindspring.com](mailto:gchoice@mindspring.com) [www.georgiansforchoice.org](http://www.georgiansforchoice.org)

Georgians for Choice is a unified voice for organizations committed to attaining and protecting reproductive freedom. The coalition strives to develop opportunities for all Georgians to exercise their constitutional rights regarding their reproductive health. Encompassing the struggle for racial equality; economic justice; lesbian/ gay/ bisexual/ transgender rights; civil liberties; environmental justice; peace; sexual health; freedom from violence; access to education, healthcare and childcare; welfare rights; immigrant/ refugee rights and human rights.

## Harm Free Zones

[www.harmfreezone.org](http://www.harmfreezone.org)

Harm Free Zone is a project supported by Critical Resistance, the Escuela Popular Nortena and dozens of other organizations and individuals. The Harm Free Zone provides tools and trainings to local communities to strengthen and develop their ability to resolve conflicts without the need for the police,

**ClothesLine Project**

Carol Chichetto, P.O. Box 654, Brewster, MA 02631  
Email: [ClotheslineProject@verizon.net](mailto:ClotheslineProject@verizon.net)

The Clothesline Project (CLP) is a program started in Cape Cod, MA, in 1990 to address the issue of violence against women. It is a vehicle for women affected by violence to express their emotions by decorating a shirt. They then hang the shirt on a clothesline to be viewed by others as testimony to the problem of violence against women.

**CONNECT**

P.O. Box 20217, Greeley Square Station, New York, NY 10001-0006 [connect@connectnyc.org](mailto:connect@connectnyc.org)  
Main: 212.683.0015  
Fax: 212.683.0016  
Legal Advocacy Helpline: 212.683.0605  
[www.connectnyc.org](http://www.connectnyc.org)

CONNECT is dedicated to the prevention and elimination of family and gender violence and to the creation of safe families and peaceful communities. CONNECT transforms the attitudes, beliefs, and behaviors that perpetuate family and gender violence and addresses these complex issues through prevention, early intervention services, and community empowerment.

**Creative Interventions**

4390 Telegraph Avenue, Ste. A, Oakland, CA 94609  
Phone: 510) 539-5330  
Email: [info@creative-interventions.org](mailto:info@creative-interventions.org) [www.creative-interventions.org](http://www.creative-interventions.org)

Creative Interventions seeks to bring knowledge and power back to families and the community to resolve family, intimate partner and other forms of interpersonal violence at early stages and multiple points of abuse. It offers resources towards collective, creative, and flexible solutions, breaking isolation and clearing the path towards viable and sustainable systems of intervention. CI is working with a collaborative of API immigrant domestic violence organizations interested in developing alternative, collective, non-state interventions.

**Critical Resistance**

National Office  
1904 Franklin Street, Suite 504, Oakland, CA 94612  
Phone: 510.444.0484  
Fax: 510.444.2177  
Email: [crnational@criticalresistance.org](mailto:crnational@criticalresistance.org) [www.criticalresistance.org](http://www.criticalresistance.org)

Critical Resistance seeks to build an international movement to end the Prison Industrial Complex by challenging the belief that caging and controlling people makes us safe. We believe that basic necessities such as food, shelter, and freedom are what really make our communities secure. As such, our work is part of global struggles against inequality and powerlessness. The success of the movement requires that it reflect communities most affected by the PIC.

**Section One: Why is Transformative Justice Necessary for Liberation?****I.1 What do we mean by Transformative Justice?**

For the Left to accomplish its vision of a just world, we must develop a liberatory response to intimate, interpersonal, and community violence.<sup>5</sup> The daily reality of such violence prevents people and communities from imagining and participating in the creation of a more just world. Without a just world, people cannot find healing and safety. Developing a radical response by Left social movements to all forms of violence opens the opportunity to heal the trauma of past violence, reduce the level of violence we experience, and mobilize masses of people for fundamental social change.

Transformative Justice responds to the lack of—and the critical need for—a liberatory approach to violence. A liberatory approach seeks safety and accountability without relying on alienation, punishment, or State or systemic violence, including incarceration and policing. We premise the Transformative Justice approach elaborated in this paper on three core beliefs, namely:

- ▶ Individual justice and collective liberation are equally important, mutually supportive, and fundamentally intertwined—the achievement of one is impossible without the achievement of the other.
- ▶ The conditions that allow violence to occur must be transformed in order to achieve

justice in individual instances of violence. Therefore, Transformative Justice is a both a liberating politic and an approach for securing justice.

- ▶ State and systemic responses to violence, including the criminal legal system<sup>6</sup> and child welfare agencies, not only fail to advance individual and collective justice but also condone and perpetuate cycles of violence.

Transformative Justice seeks to provide people who experience violence<sup>7</sup> with immediate safety and long-term healing and reparations while holding people who commit violence accountable within and by their communities. This accountability includes stopping immediate abuse, making a commitment to not engage in future abuse, and offering reparations for past abuse. Such accountability requires community responsibility and access to on-going support and transformative healing for people who sexually abuse.

In addition, Transformative Justice also seeks to transform inequity and power abuses within communities. Through building the capacity of communities to increase justice internally, Transformative Justice seeks to support collective action toward addressing larger issues of injustice and oppression. The goals of Transformative Justice as a response to all forms of violence are:

- ▶ Survivor safety, healing and agency
- ▶ Accountability and transformation of those who abuse

<sup>5</sup> See footnote 1

<sup>6</sup> We employ the term “criminal legal system” instead of the term “criminal justice system.” This is because we question the premise that the legal system seeks, let alone delivers, justice.

<sup>7</sup> The language of victim is often used to describe a child or youth who has been sexually abused. Often the criminal legal system uses the term victim. Social advocates, community organizers and adult survivor groups often do not use this word because they prefer to emphasize the survival rather than the victimization. However, it’s important to acknowledge that those who experience CSA are literal victims of another’s behavior and in no way responsible for that experience. Sometimes the word “victim” will be used to describe someone who literally did not survive abuse. Instead, “survivor” is often used as a term of empowerment and re-claiming by many in advocacy and social change worlds. Others prefer not to be labeled or identified with something related to their history of abuse. Generation FIVE mainly uses the term “survivor” but believes that it is important to ask or take your cue from the person with the experience.

- ▶ Community response and accountability
- ▶ Transformation of the community and social conditions that create and perpetuate violence, i.e. systems of oppression, exploitation, domination, and State violence

The term “Transformative Justice” emerged directly out of Generation FIVE’s work on child sexual abuse as the term that best describes the dual process of securing individual justice while transforming structures of social injustice that perpetuate such abuse. While we developed this model as a response to child sexual abuse, we imagine Transformative Justice as an adaptable model that can and will be used to confront many other forms of violence and the systems of oppression they enable and require.

Through our work, we have learned that addressing child sexual abuse—one of the most intimate, traumatic and widespread forms of violence—is both necessary and strategic in building successful liberation movements.<sup>8</sup> Further, our experience has taught us that leading with the issue of child sexual abuse can provide a critical entry point for many reasons:

- ▶ Child sexual abuse is at epidemic levels.
- ▶ The impact of its legacy weakens our ability to build effective movements for justice.
- ▶ The Right leverages child sexual abuse to promote conservative agendas.
- ▶ The charged nature of the issue challenges us to deeply build our political and emotional capacities.
- ▶ The complex nature of the personal and societal power dynamics underpinning child sexual abuse challenges us to work on both individual and social justice.

For these reasons, child sexual abuse serves as a constant reminder of the interlocking nature of oppression and as a motivator for our need to connect individual justice and collective liberation.

Without addressing violence in its most intimate manifestations (such as the family), we argue that we will simply be unable to build a

movement that can change the world. While Leftist and social justice movements in the U.S. continue to pose significant ongoing challenges to the power and primacy of the State, we have failed to offer real alternatives to replace, dismantle, or transform it. Ultimately, we will not be successful in mobilizing masses of people to transform current political, economic, and social apparatuses if we do not have a concrete vision for the future. The goal of dismantling oppressive structures is shortsighted, and perhaps impossible, if we are not also prepared to build alternatives. This is not merely a rhetorical failure or a failure of analysis; it is a failure of practice. As this paper will argue in detail, the lack of liberatory approaches to violence actually undermines the entire project of social justice on both ideological and practical levels.

## 1.2 Why do we need a liberatory approach to violence?

Our current responses to violence cannot lead us to liberation. They are usually limited to a focus on State incarceration and often result in family disintegration. They are focused on retribution and punishment rather than accountability and transformation. They are reactive rather than preventative. The lack of alternatives to State intervention, combined with our inaction and willingness to resort to State intervention, allows the violence to continue.

The most common response to violence is collusion—knowing violence is happening and allowing it to happen. There are many reasons that this response is so prevalent. Denial is a significant factor, but the fear of stigma, destruction of relationships, and physical violence are also important. The people involved in situations of intimate violence—survivors, people who abuse, and bystanders—may have complex relationships, including economic and emotional dependence. There is also the understandable fear of State intervention and the inability or

## COMMUNITY ORGANIZING /SOCIAL CHANGE

### The American Friends Service Committee

1501 Cherry Street, Philadelphia, PA 19102

[www.afsc.org](http://www.afsc.org)

The American Friends Service Committee carries out service, development, social justice, and peace programs throughout the world. Founded by Quakers in 1917 to provide conscientious objectors with an opportunity to aid civilian war survivors, AFSC’s work attracts the support and partnership of people of many races, religions, and cultures.

### The Audre Lorde Project

85 South Oxford Street, Brooklyn, NY 11217-1607

Telephone: 718.596.0342

Fax: 718.596.1328

Email: [alpinfo@alp.org](mailto:alpinfo@alp.org) [www.alp.org](http://www.alp.org)

The Audre Lorde Project is a Lesbian, Gay, Bisexual, Two Spirit and Transgender People of Color center for community organizing, focusing on the New York City area. Through mobilization, education and capacity-building, we work for community wellness and progressive social and economic justice. Committed to struggling across differences, we seek to responsibly reflect, represent and serve our various communities.

### The Black Church and Domestic Violence Institute

2740 Greenbriar Pkwy., Suite 256, Atlanta, GA 30331

[bcdvorg@aol.com](mailto:bcdvorg@aol.com) [www.bcdvorg.org](http://www.bcdvorg.org)

The BCDVI is a diverse group of people who are concerned about the issues of domestic violence in families and in all human relationships and the response of the Black Church. We believe in the Church’s mission to improve the quality of life and recognize the linkages of violence to all social problems in the history of Black communities. Therefore, we stand against violence in all its guises including physical, sexual, psychological, spiritual, emotional and economic abuse. To that end, we develop partnerships and collaborations to provide educational, spiritual and technical support as well as advocacy and leadership development: to enhance the capacity of the church to empower and protect the survivors of domestic violence; to hold abusers accountable; to promote healing and wholeness in African-American communities.

### CARA: Communities Against Rape and Abuse

801- 23rd Avenue S, Suite G-1, Seattle, WA 98144

Phone: (206) 322-4856

Email: [info@cara-seattle.org](mailto:info@cara-seattle.org) [www.cara-seattle.org](http://www.cara-seattle.org)

CARA promotes a broad agenda for liberation and social justice while prioritizing anti-rape work as the center of their organizing. CARA is spearheaded by survivors of sexual and domestic violence who have led organizing efforts against forced institutionalization of people with disabilities, against racist sterilization abuse of women of color and poor women, and against the alarming criminalization of young people. Organizers and activists demonstrate how these issues are intricately connected to the process of undermining sexual violence. CARA creates spaces for diverse constituencies — including people who are young, of color, queer, incarcerated, poor, and/or have disabilities — to invest in the power of collective action, critical dialogue, and community organizing to undermine rape, abuse, and oppression.

<sup>8</sup> Child sexual abuse is one of the most pervasive forms of violence. In a 1994 survey (Urquiza and Goodlin-Jones 1994), 44.8 percent of African American women, 38 percent of white women, 25.6 percent of Latina women and 21.1 percent of Asian American women had histories of child sexual abuse.

**The Trauma Center** [www.traumacenter.org](http://www.traumacenter.org)

Contains numerous articles by Bessel VanderKalk and other trauma-related publications. This is a great resource for the latest studies on brain development, the psycho-biology and trauma.

## OFFENDER ACCOUNTABILITY / SUPPORT

**Sharper Future: Social Habilitation and Relapse Prevention**

Administrative Offices

19230 Sonoma Highway, Suite 200

Sonoma, CA 95476

Phone: (707)996-9398

[www.sharperfuture.com](http://www.sharperfuture.com)

Sharper Future provides specialized treatment for individuals who have committed sexual offenses as a key component of the management of offenders and prevention of future abuse. Most people are referred through the criminal/legal system, but SHARP also takes individuals seeking help on their own. They have numerous ways to help an individual or family negotiate the legal system or not engage there, if possible. Their treatment program includes; careful initial assessment, then qualified participant moves into a group-based, sequenced, psycho-educational curriculum, which addresses the core issues related to the offense. Participants are expected to acknowledge their problems and admit having committed their offense. Frequently substance abuse issues have played a part in the offense and must be directly addressed in treatment concurrently with the sexual offenses. They also offer aftercare programs. Sharper Future believes that every individual is entitled to live in a safe community and to have opportunities for a satisfying life.

**Stop It Now!**

351 Pleasant Street, Suite B319, Northampton, MA 01060

Phone: (413) 587-3500

Helpline: 1-888-PREVENT (1-888-773-8368) (Monday to Friday, 9:00AM to 6:00PM EST)

Fax: (413) 587-3505

Email: [info@stopitnow.org](mailto:info@stopitnow.org)

[www.stopitnow.org](http://www.stopitnow.org)

Stop It Now! is a national, public health based organization working to prevent and ultimately eradicate child sexual abuse. Through its public education, public policy, and research programs, Stop It Now! challenges abusers and people at risk for abusing to stop abusive behaviors and to reach out for help. They educate adults about the ways to prevent child sexual abuse and promote the policy changes at the local and national level to support primary and secondary prevention strategies. Stop It Now! Helpline is a toll-free number for adults who are at risk for sexually abusing a child, for friends and family members of sexual abusers and/or victims, and for parents of children with sexual behavior problems. All calls are confidential and will be answered by a trained staff member.

unwillingness to challenge unequal power relations. Individual bystanders, those that collude with violence, also may have their own histories of violence and trauma, making it difficult to be willing or able to act. In a study conducted by the sexual abuse prevention organization Stop It NOW!, 75 percent of participants said they would confront someone who had been drinking and was about to drive, whereas only nine percent reported that they would confront someone who was sexually abusing a child.

Those who are willing and able to act are often unsure of what to do. When people do intervene, they are often confronted with alienation, aggression, blame, and, at times, may become targets of violence themselves. Even when people are able to mobilize an effective response, it is often hard to sustain the support and accountability needed to transform the situation overtime. Long-term transformation of abusive relationships involves healing for multiple parties. It must also include processes of accountability and reparation, ongoing assessment and evaluation of all the people involved in the situation, as well as the ability to hold intense and volatile conflicts and emotional reactions. At the same time, in order to transform the conditions that allow violence to occur, a mobilization of broad sectors of the community is needed. Those willing to address violence at all are rarely able to do so in a transformative way—one that is rooted in and aligned with social justice politics and values.

Most often, in the cases where an intimate or community network is willing and able to respond to violence such as child sexual abuse, the response comes in the form of vigilante violence—the use of violence against someone accused of child sexual abuse. This often occurs without a process of assessment to determine what is going on, why it's going on, and what else could be done to address it. Moreover, this kind of violence traps us in a cycle that equates power with domination. Vigilante violence is an act of punishment out of an emotional response, usually with no intention of transforming people or shifting the conditions—of which bystanders are a part—that allow for violence to occur. Vigilante

violence is most easily directed at members of the community who are already socially or otherwise vulnerable; rarely does vigilante violence touch those who collude with the violence in families, networks and communities or the public systems and institutions that allow the violence to continue.

While we reject vigilantism, we do make a distinction between vigilante violence and using the minimum force necessary to stop an abuse of power. Unlike vigilante violence, force used to stop immediate abuse would be intended as a temporary stop-gap to prevent immediate physical harm until the situation can be more deeply evaluated and resolved. Force would never be considered, in and of itself, a form of resolution, accountability, or long-term transformation.

Often the solution of last resort for many intimate and community networks, and even those within progressive and radical movements, is calling upon the State, usually the criminal legal and/or child welfare systems. However, when called upon, the State is rarely successful in stopping child sexual abuse or creating a safer situation for the children being abused. Most often there is no 'evidence' to prove child sexual abuse and once children realize the consequences, they often revoke their statements in an effort not to break apart their family or community networks. When cases are 'proven', children are rarely offered healing and support, and if removed from their homes, children often end up in institutional or foster care situations that are sometimes at least as violent and neglectful, if not more so, than the homes from which they came.

Moreover, these systems were not built with the intention to prevent violence or transform those immediately impacted, the community conditions in which abuse occurs, or societal conditions that allow and are perpetuated by child sexual abuse. On the contrary, these systems serve to maintain such conditions and often collude with violence. Individuals, families, and communities rarely find the felt sense of justice they seek and are offered little for healing and transformation.



Our movements similarly struggle to address violence. The Left tends to dismiss violence as a “personal” issue. When violence surfaces in the course of their other work, social justice movements and organizations can be reluctant to address it directly for fear of losing focus and derailing their work. In seeking to oppose State interventions on individual and community violence, some on the Left may end up minimizing the scale and impact of that violence in the communities we represent. At other times, many of us on the Left engage public systems when faced with a lack of other options for addressing violence and other forms of injustice in our lives or work. The Left’s lack of a conscious approach to violence is dangerous for two reasons. It denies the lived reality and material conditions faced by those communities whose liberation they seek and it leaves unchallenged, and therefore legitimates, the State’s monopoly on potential responses to violence.

Even when we want to intervene in violence and harm in the lives of those with whom we organize or work, we do not have the capacity, skills or resources to do so in a liberatory way. Sometimes our shame about the ways we may collude with either violence or the State makes it difficult to discuss how and why we do so and therefore prevents us from identifying what we would need in order to effectively respond. Moreover, our emotional reactions to violence often and understandably contradict our political understanding of the conditions in which individual behavior occurs and our political commitment to transformation and justice—this is particularly true when the violence is a gross abuse of power such as with child sexual abuse.

In contrast, many organizations that have emerged to respond to violence in people’s lives accept the violence of the criminal legal and child welfare systems as a necessary harm for stopping

violence. The vast majority of sexual and domestic violence organizations leverage State intervention as the primary strategy for prevention and response. Many of these non-profit organizations are funded by the State, which forces their work in the direction of harsher sentencing, incarceration, and surveillance. Often, the conditions of State or systemic violence that are reflected in acts of violence get ignored or are considered secondary to intimate or interpersonal violence—thus allowing systems to express and leverage racism, sexism, homophobia, and class oppression while responding to intimate and community violence.

For example, despite equal rates of child sexual abuse across ‘race’ and class, the vast majority of children removed from homes because of claims of child sexual abuse come from families of color, especially those that are lower-income. Moreover, by identifying and responding to intimate and community violence through individualized intervention and prevention work, the conditions of systemic and State violence—the context in which acts of violence occur—are made invisible.

Differences in philosophies, goals and priorities often create barriers to cross-sector, cross-movement relationships. There is not enough cohesion in our movements and organizing for personal or political

liberation. Such cohesion would better enable movement organizers to overcome the conditions that prevent the full potential of communities and members to participate in campaign work. It would also facilitate the participation of community-based services in organizing toward transforming the conditions that create the harm and violence for which they (the service providers) often end up providing band-aids.

Yet, even with relationships and willingness, we all face a real lack of options. This lack of options

Those working on mass-based organizing and movement-building rarely have relationships with those providing community-based healing and anti-violence work. Such relationships, within a shared commitment to a liberatory approach to violence, could be mutually beneficial.

## Appendix D: Resources for Support, Healing and Activism

For a full listing of resources, please see our website: [www.generationFIVE.org](http://www.generationFIVE.org).

### SOMATICS: TRAUMA and HEALING

We have included a resource section on Somatics, because of its’ effectiveness in healing from and working with trauma and PTSD. Much of the recent research in trauma details the impact of trauma on the psychobiology (the mind and body) and the need for an integrated (mind/body/spirit) approach to healing trauma. Somatics is leading the way in much of this innovation, including looking at the collective impact of trauma and community resilience.

Somatics works with the mind, body, spirit as one integrated whole. Perhaps what is most unique about Somatics is that it integrates the body as an essential place of change, learning and transformation. Somatics sees the “self,” or who we are, as inseparable from the body. When we reconnect the vast intelligence of the body with the mind and spirit, powerful change and healing are available. Somatics uses a combined approach of somatic awareness, somatic bodywork and somatic practices to create lasting change. Its Greek root “soma” means “the living body in its wholeness.” Some of these resources are more aligned with the politics of Transformative Justice than others but all of them offer deep healing around histories of trauma.

### ORGANIZATIONS

#### Generative Somatics—Staci Haines [www.somaticsandtrauma.org](http://www.somaticsandtrauma.org)

Generative Somatics is an integrative approach using somatic awareness, somatic bodywork and somatic practices to create lasting change. Generative Somatics approaches trauma as both an individual and collective experience. In this work we address individual experiences of trauma and the social context in which we are living to understand, heal, and transform. Generative Somatics is used in one on one and group work as well as in social change and community building settings.

Healing Sex, DVD [www.healingsexthemovie.com](http://www.healingsexthemovie.com)

This DVD describes the Generative Somatics approach to healing intimacy, relationship and sexuality after sexual trauma. A diverse cast demonstrates the healing process including somatic embodiment, somatic bodywork and somatic practices. By Staci Haines and SIR Digital Productions.

#### Sensorimotor Psychotherapy Institute—Pat Ogden [www.sensorimotorpsychotherapy.org](http://www.sensorimotorpsychotherapy.org)

The Sensorimotor Psychotherapy Institute (SPI) is an educational organization dedicated to the study and teaching of a body oriented approach to clinical psychotherapy practice.

#### Somatic Experiencing & the Foundation for Human Enrichment—Peter Levine [www.traumahealing.com](http://www.traumahealing.com)

The Foundation for Human Enrichment (FHE) provides individuals, families, and communities with effective “self-help” tools for healing trauma and training for therapists in this approach.

#### Strozzi Institute—Richard Strozzi Heckler [www.strozziinstitute.com](http://www.strozziinstitute.com)

Strozzi Institute is the premier training institute for Embodied Leadership. For more than 30 years, Strozzi Institute has provided an innovative learning environment using somatics to develop leadership, create organizational change and encourage social vision. The Institute offers public and private programs for corporations and organizations interested in developing their leadership presence and effectiveness. In addition, they offer a somatic coaching certification program.

conditions that create child sexual abuse across populations. Another is the focus on risk and vulnerability factors for being sexually abused and sexually abusing children at the exclusion of resilience and protective factors that prevent child sexual abuse and reduce its impacts.

### Child Sexual Abuse as a Human Rights Issue

A human rights approach labels child sexual abuse a violation of children's fundamental right to grow up free from exploitation and abuse. Human rights are often used to describe a citizen's right to demand State accountability, a citizen's right to live free from undue State persecution, or to hold states accountable for the social and economic conditions in which their citizens must live. Human rights approaches have primarily been used in the international arena to hold states accountable for violating (or failing to adequately protect) political and civil rights; this traditional human rights approach has come under criticism for being concerned only with "third world" violations and not with violations that happen in major industrialized countries or violations caused by global economic policies. A human rights approach to child sexual abuse could be strategically effective if used in collaboration with international efforts seeking to hold the State accountable for children's social, economic, and political freedom from sexual exploitation and abuse.

A strength of human rights approaches is their ability to make political connections between child sexual abuse and child sexual exploitation, global economic policies, transnational child labor, refugee displacement and immigration. A weakness is the difficulty of using human rights approaches inside the U.S. and their strong focus on state accountability. The human rights approach actually keeps the power of prevention and response in the hands of the State rather than transferring or transforming that power towards and within families, communities, etc. While laws and enforcement policies do need to change we do not necessarily see the State as a primary or sufficient means to end child sexual abuse.

reflects the current economic environment, the erosion of protective factors within communities, the devastation, targeting, and dismantling of communities by the prison-industrial complex and the child welfare system. Without liberatory options, people are forced to rely on State mechanisms in which they have little faith.

The response of social movements must be two-fold. On the one hand, it is essential that we continue to hold the State accountable for its failure to provide adequate services and funding to support families and communities in dealing with violence. The State must also be held accountable for the ways in which its policies create the conditions that allow violence to continue. At the same time, it is critical that our social movements recognize that liberation from violence is one of people's most basic needs. As the Left, it is our responsibility to provide people with alternative options, resources and processes for securing liberation from violence, in the face of the failure of the State.

### 1.3 Why must we work outside of State systems to secure justice?

Transformative Justice has emerged, in part, from a critique of the current reliance on State systems to respond to intimate, interpersonal and community violence. This critique centers on three key points: the violent nature of the modern State, the oppressive history and current reality of the U.S. State, and the actual failures of State systems to fulfill their violence prevention and intervention mandates.

#### The violent nature of the modern State

The modern State defines itself by its monopoly over the means of coercion and the exercise of force. The State is the institutionalized legitimization of violence. In this framework, violence carried out by non-State actors and outside of State sanction is illegitimate, and ultimately the target of coercive action by the State to reassert its monopoly over violence. The conditions that allow all forms of violence to continue cannot be truly transformed by the

State, being an institutional formation that is itself reliant on its exercise of violence.

While State formation has always been about economic and social elites claiming and then maintaining power, the political challenge facing the modern 'democratic' State has been to win consent to this power 'from below' rather than impose it 'from above'. In the U.S. context, this means winning consent to the exercise of White, male, heterosexual power and privilege. A key strategy employed by the State in winning such consent is its regulation of the Family, as an institution whose 'normal' and 'deviant' expressions it defines.

The creation and normalization of the heterosexual family unit has laid the foundations of economic exploitation and male supremacy, as both are premised on the unrecognized and uncompensated work of women in maintaining families and raising children. This has a number of implications with regard to seeking justice through State systems. Violence within family networks, as in incest child sexual abuse, threatens the ideology of the heterosexual family unit as the foundation of society. It is no coincidence, then, that securing justice from the State is most difficult in cases of incest child sexual abuse because public systems are as much about protecting the ideology of the family, and especially the centrality of fatherhood, as they are about protecting children.

This is clear from the emergence, in recent years, of Parental Alienation Syndrome. This is most often used in court cases involving fathers accused of violence within the family. Increasingly, the man's defense is that the accusations against him of violence are merely a strategy being used by the other parent to "alienate" the children from the accused. In this case, the State often colludes with a violent parent by giving custody to the parent who successfully accuses the other parent of 'alienating' the child from them. In cases such as these, the abuse of the children goes unaddressed and the parent that has been suffering violence is punished. This claim is successful, most often for men, who assert, for example, that the mother of the children is

vindictive, mentally unstable, and economically and emotionally unable to care for the children.

The State also associates the widespread violence and abuse within families with 'deviance'. This is another way in which it seeks to maintain the integrity of the 'normal' heterosexual family, and thus preserve current arrangements of economic and gender power. This is most clear in relation to child sexual abuse. Incidence of such abuse cuts across lines of class and 'race', yet the public perception is that of being an experience confined to dysfunctional or 'deviant' families.

Some families, particularly within communities of color and immigrant and poor communities, are stereotyped with characteristics of brutality and savagery attributed to inferior natures or "cultures of poverty." Queer communities get particularly targeted by this leveraging of child sexual abuse for homophobic agendas. Such communities, and the intimate relationships and family formations they foster, threaten the assumptions of the heterosexual family.

Homophobic assertions about queer people and child sexual abuse have long been important tools in this defense of the heterosexual family. Falsely targeted as at 'high risk' for committing child sexual abuse, potential parents are forced to undergo screenings for adoption and foster care that a heterosexual couple are never asked to undergo. Often, queer families are refused adoption or foster care opportunities, and it is still not unheard of for LGBT (especially T) people to lose custody of their children at the hands of judges who feel that the "deviant" sexuality of the parent poses a threat to the health and well-being of their children.

### **The oppressive reality of the U.S. State**

In addition to this projection of violence on to 'deviant' families, U.S. public policy over the last three decades or more has systematically decimated the capacity of many communities to cope with violence. Deepening poverty and widening economic inequalities, as a result of regressive tax policies and savage cuts in social spending, have severely weakened community resources. The Great Society vision of the 1960s,

and its investments in education, health and social welfare services, is now a distant memory.

The destruction of a welfarist approach to the provision of social services and safety nets, euphemistically termed "welfare reform", has undermined the capacity of already oppressed communities to deal with violence. At the same time, the massive shift in State expenditures toward 'homeland security', law enforcement and the unprecedented growth of the prison-industrial complex has meant that these same communities are increasingly targeted by multiple forms of State violence.

In view of the above, it is clear that the U.S. State cannot provide the individual and social justice that we seek. It is true that many of the economic and political gains made in the U.S. over the course of the last century were accomplished through a strategy in which the State was held accountable to its constituents. Important gains have been made in changing legislation that constituted gross violations of civil rights as well as creating legislation to criminalize some of the most obvious violations of such rights. However, this did not, and could not, translate into systems designed to produce real racial, economic and gender justice; they were the minimums necessary to challenge blatant denials of equality.

The women's movement, the movement from which work on domestic and sexual violence and child abuse has most directly emerged, was part of a movement to seek equality through legislation. Significant gains were made. These included securing voting rights for women and protection for survivors of violence, at the same time as challenging the legal sanctions for men's ownership of wives and children and State collusion with domestic and sexual violence.

From the early days of the women's suffrage movement, the voices organizing to change legislation have come from those who had actual access to the State—mainly white middle-class women. These women struggled and faced incarceration, violence and ostracization but believed that the State could and would be accountable to them. They framed their struggle in terms of gender and positioned the State as

## **Appendix C: Critiques of Prevalent Approaches to Child Sexual Abuse**

Generation FIVE's work overlaps with many other sectors and movements such as domestic violence, family and community violence prevention, youth empowerment, harm reduction, reproductive rights and women's health, child labor, sex-positive sex education, lesbian/gay/bisexual/transgender rights, and civil rights. While we may collaborate with these movements, we remain firmly committed to shifting responses to child sexual abuse from an individualized, mental health, or criminal justice approach to one that acknowledges sexual abuse as a social and political issue.

### **Child Sexual Abuse as a Mental Health Issue**

Most of the political analysis that introduced child sexual abuse as a social, family, and gender issue in the 1970s was simply wiped away when the 1980s claimed it as a mental health issue. The 1980s mental health approach defined child sexual abuse as a problem of specific individuals or families. This approach replaced earlier political analyses of the relationship between sexual trauma and social power with a focus on personal wounds and individual recovery. The financial and cultural exclusivity of private therapy also ended up framing child sexual abuse as a "white middle-class women's issue." This stereotype enabled backlash movements such as the False Memory Syndrome Foundation to target therapy as a place where troubled white women go to "find problems," stigmatizing mental health support and isolating a diversity of survivors from services as well as from each other.

A strength of the mental health approach is its recognition that affordable, culturally relevant services can be an important part of responding to and recovering from child sexual abuse. A weakness is that while mental health services can certainly help in dealing with the impact of child sexual abuse, this approach all too often individualizes the experience, leaving people isolated with the impact and the concrete circumstances of their specific situation. In addition, this approach sidesteps the question of prevention. This leaves us with a better understanding of the aftermath of abuse without ever clarifying how this knowledge might help us to end it. Similarly, when mental health approaches turn their attention to people who abuse, the focus is on trying to find individualized predictors of violence, rather than transformation of those conditions that lead to and allow violence in the first place.

### **Child Sexual Abuse as a Family Violence Issue**

Definitions of family violence have grown to encompass a range of abuses—from domestic violence to dating and intimate partner violence to various forms of child abuse and neglect. Instead of looking at only one form of violence in a household, family violence approaches now try to see different forms of abuse as interconnected in complicated ways. New strategies in family violence prevention are now supporting the overall health and welfare of families rather than simply intervening in moments of crisis or using threats to punish or leverage change. According to these new approaches, communities can help families to prevent violence and seek effective support by creating public discussions that counter the assumption that "family business" should remain "family business."

A strength of this approach is its insistence that public and community support can help families live free from violence. A weakness is its isolation of family violence from broader contexts of poverty, discrimination, or marginalization. A further weakness surrounds the difficulty many family violence services continue to have in identifying and responding to child sexual abuse specifically – often this form of violence receives less attention than issues such as battering and neglect.

### **Child Sexual Abuse as a Public Health Issue**

A public health approach situates child sexual abuse in its larger context of individual, family and community health. Public health emphasizes the value of primary prevention in ending the "epidemic" of violence and supporting communities in health. A Public Health approach looks at the factors contributing to incidents of child sexual abuse as well as the long-term, wide reaching impact of these incidents. A Public Health approach accomplishes this by analyzing: 1) the statistical percentages of people affected by child sexual abuse; 2) the long-term impact of child sexual abuse for some survivors in the form of poor mental and physical health outcomes, including but not limited to harmful or chaotic drug use, harmful sexual relationships and behavior, and chronic illness; 3) the costs to society, measured in mental health issues, job instability, disability, medical costs, legal and judicial costs, etc.; and 4) the factors that create vulnerability to sexually abusing children and those factors that make children vulnerable to sexual abuse. Some public health approaches have adopted outreach and mental health services for people who abuse as a primary prevention strategy.

A strength of the public health approach is its focus on primary prevention and education and its emphasis on the health not only of individuals but of families, communities, and society. A weakness is the increasing focus on individual behavior change and individual risk factors by public health institutions rather than a focus on the social



**Atlanta Transformative Justice Collaborative:**

We began our work in Atlanta in January 2005 in partnership with Raksha, an Atlanta-based organization that promotes a healthier South Asian community through free and confidential direct services, education and advocacy that prevent and respond to intimate and community violence. This partnership was then expanded into an Atlanta Launch Committee that is supporting generationFIVE (g5) in bringing its programs to Atlanta. This Committee has been meeting since Fall of 2005 and included representation from the following organizations: Georgians for Choice, Project South, the Queer Progressive Agenda, Stop it Now! Georgia—a project of Prevent Child Abuse Georgia, and TriKone. Other organizations have since agreed to be part of a larger support network for the Collaborative.

In March 2006, the Committee sponsored a three-day g5 training to deepen our shared understanding of the impact of child sexual abuse in our communities, lives, work and movements and to transition and expand the Launch Committee into a Transformative Justice Collaborative. The purpose of the Collaborative is to complete an assessment of what Atlanta's diverse communities, sectors of work and movements for justice need in order to be able to intervene in and prevent child sexual abuse and other kinds of violence. The assessment will inform a strategic work plan to build the resources and capacity that these diverse networks need towards this goal. Collaborative members will then identify others in their communities, intimate networks, organization, sector or movement to develop the relationships, shared framework, commitment and capacity necessary to begin piloting interventions and launching culturally, community, and/or population relevant prevention campaigns.

In addition, Collaborative members will incubate collective as well as individual projects that are necessary towards intervening in and preventing violence. These might include but are not limited to safety and healing resources, offender accountability programming and processes, art and cultural work that raise awareness, and public education, campaigns and training. The Collaborative is a work group of representatives of organizations, communities, and movements who bring personal, professional and political experience and vision.

In 2007 & 2008, the Atlanta TJ Collaborative will be participating in developing a TJ intervention model and a plan for piloting in the networks of which Collaborative members are a part. In preparation for the pilot, the Collaborative will receive training in diverse intervention models, facilitation, trauma, accountability processes and g5's Transformative Justice framework and practices. In parallel, members will identify their own community, intimate and political networks to in turn expose to frameworks and models, develop the skills necessary to facilitate intervention and prevention campaigns, and strengthen the relationships necessary to sustain implementation over time with an intense and intimate form of violence.

The TJ Collaborative is supported by a local g5 Coordinator and a facilitator that can support the team in relationship and alliance building across race, class, sexual orientation, ability, and experiences of violence as well as provide a space for members to process the emotional intensity of organizing around child sexual abuse and, for many, their own histories.

**New York City**

Generation FIVE's work in New York City began in 2004 with a year-long Community Response Project (CRP) that graduated 18 activists with the skills to take leadership roles and end child sexual abuse in their communities. After two years of steady and growing work, one of those graduates, Maria Santiago is in the process of designing curriculum for a 16-week workshop series called the Mothers' Circle, for mothers to learn about child sexual abuse and examine their role in stopping or preventing CSA in their families and communities.

the guarantor of gender equality. In doing so, the White, middle-class leaders of the women's movement were oblivious to the fundamentally oppressive nature of the U.S. State, and its history of slavery, racism and capitalist exploitation.

By contrast, African American, working-class, queer and communist/socialist women were clear about the injustice at the heart of the State. However, their voices were often silenced. Many were forced to assume a compromised stance by choosing for which of their communities' rights they would advocate, rather than challenging the fundamental lack of rights driven by the racism, class and gender hierarchies of this newly formed nation.

We are living with the consequences of the silencing of working-class and poor feminist voices, the feminist voices of people of color, and queer voices. This silencing continues to allow for an orientation toward the State as a useful mechanism for protecting women's rights and children's rights. Predictably, however, this orientation has not greatly reduced levels of intimate violence, including child sexual abuse. Instead, we see a trend in blaming, criminalizing, and controlling women for their responses to the violence they and their children experience. A powerful example of this is the incarceration of women who kill their abusers in self-defense.

**The failure of State systems**

Furthermore, we cannot look to the State for justice in relation to child sexual abuse, in particular, because it is clear that the public system response is not working. To begin with, the vast majority of cases go unreported. Research suggests that less than 10 percent of child sexual abuse is reported to the police.<sup>9</sup> This is because most child sexual abuse happens in the

context of close or familial relationships, and the relationships involved are complex.

Often the child is physically, financially, or at least emotionally dependent on the person who is abusive. Those surrounding the abused child and the person that sexually abused the child are often in the same network of complex relationships. Most people who sexually abuse do so with children to whom they are close.<sup>10</sup> The people in relationships surrounding the victim/survivor and the person or people that are sexually abusing them are often ill equipped to

African American, working-class, queer and communist/socialist women were clear about the injustice at the heart of the State. However, their voices were often silenced.

notice and respond to the abuse. People within these intimate networks may know about the abuse and want it to stop, but they are not going to call the police on their uncle, sister, father, etc.

Repeatedly in word and action, diverse communities show that they are unwilling to engage public systems as a response to a "private" concern such as child sexual abuse. There is an understandable distrust of the criminal legal and other public systems within many communities. Families with money to afford therapy in response to child sexual abuse can avoid both the criminal legal and child welfare system, perpetuating the belief that child sexual abuse is only a problem in low-income, immigrant, or communities of color.

Poor and working-class communities and many communities of color in the U.S. are already targeted by the public systems. Such communities understand, first hand, the role played by these systems in reinforcing "race" and class oppression. Indeed, far from being able to challenge the systems of oppression that allow child sexual abuse to continue, public systems are shot through in various ways with racism, misogyny and class oppression. The basic function of the criminal legal system is evident

<sup>9</sup> Finkelhor et al 1988.

<sup>10</sup> One study (Russell 1988) found that 31 percent of women surveyed were sexually abused by a non-relative; of these, 20 percent were abused before age 14. 43 percent of the non-family abusers were boyfriends, 42 percent were acquaintances, and 11 percent were strangers.

from even the briefest examination of policing, sentencing and incarceration practice; to maintain control over low-income communities, and especially communities of color. The other public system primarily engaged in cases of child sexual abuse, the social welfare system, is no better. It seeks to “fix” families that are broken as a result of poverty, racism and histories of violence and abuse rather than to transform those conditions of violence.

When individuals, families and communities do turn to public systems, they are rarely satisfied with the results in terms of the survivors’ safety and healing or a sense of justice. Public intervention often fails to protect the survivor from further harm. It frequently causes further trauma to the survivor during the investigation process. In addition, the short-term, generalized solutions offered by the State often leave individuals and families with partial solutions that open up trauma without actually transforming it. They also lack the specificity required to transform the diversity of social and cultural contexts, forms of abuse, power dynamics, and relationships reflected across experiences of sexual abuse.

In the face of this battery of violent and often irrelevant solutions offered by the criminal legal and child welfare systems, rates of child sexual abuse have failed to decrease in any significant or long-term way, even as rates of incarceration and policing have increased exponentially. Indeed, mandated reporting and sex offender registrations may increase the likelihood that someone that has sexually abused a child will re-offend.

Registries and public notification heighten a climate of fear and anger without preparing communities to accommodate their reintegration. As a result, people labeled as sex offenders are driven into further isolation. Mandated reporting can have the effect of maintaining silence about and collusion with child sexual abuse. People’s fear of further State intrusion into their lives deters many people from disclosing concerns about or experiences with child sexual abuse, especially in relation to people they know. In this way the conditions that allow

child sexual abuse to continue are further entrenched.

State responses to violence in the U.S. cannot meet the twin challenges of individual and social justice. The existing criminal legal and child welfare systems are primarily designed to punish rather than generate accountability, healing and transformation toward prevention. This system is antithetical to the aims of social justice movements that seek to transform the conditions that perpetuate violence rather than simply target people who are violent as individualized “criminals.” In maintaining current arrangements of power, the criminal legal system, social welfare system, and other public agencies are preserving the conditions that allow child sexual abuse to continue, while diminishing the capacity of communities to respond.

#### 1.4 Why should we focus on child sexual abuse in Transformative Justice work?

At Generation FIVE, we believe that Transformative Justice, as a liberatory response to all forms of violence, must be a key part of the Left’s efforts to create a more just world. We also believe that child sexual abuse is a strategic entry point for making Transformative Justice real, and for developing liberatory practices and processes of justice within our networks, communities and movements. Over 60 million people in the U.S. are survivors of child sexual abuse. Child sexual abuse occurs across ‘race’, class, culture, religion, sexuality and geography. Yet, despite virtual consensus condemning child sexual abuse, we are unable to prevent it and have little available to effectively respond to it.

Child sexual abuse is a good entry point for liberation work because it forces us to identify contradictions not only in the State but in our own families, around gender, survival strategies, arrangements of power, culture and values. We cannot address the violation of child sexual abuse without working inside of our own intimate and community networks and within our commitment to social justice. We must find ways to do this that do not rely on State violence. Therefore, by addressing child sexual abuse, we

#### Bay Area Collaborative & Community Action Projects:

As g5’s home base, our programming initiated and is the most evolved in the San Francisco Bay Area. With a large base of graduated community leaders, Generation FIVE is preparing to launch a Bay Area Transformative Justice Collaborative with our partner organization, Creative Interventions. The purpose of the Collaborative is to complete an assessment of what the Bay Area’s diverse communities, sectors of work and movements for justice need in order to be able to intervene in and prevent child sexual abuse and other kinds of violence. The assessment will inform a strategic work plan to build the resources and capacity that these diverse networks and the Collaborative need towards this goal. Collaborative members will then identify others in their communities, intimate networks, organization, sector or movement to develop the relationships, shared framework, commitment and capacity necessary to begin piloting interventions and launching culturally, community, and/or population relevant prevention campaigns.

In addition, Collaborative members will incubate collective as well as individual projects that are necessary towards intervening in and preventing violence. These might include but are not limited to safety and healing resources, offender accountability programming and processes, art and cultural work that raise awareness, and public education, campaigns and training. The Collaborative is a work group of representatives of organizations, communities, and movements who bring personal, professional and political experience and vision. The following projects have already been launched by the graduates of our Bay Area programming over the past 5 years:

**Voices Against Violence (VAV):** A collective of men who have graduated from g5’s programming that seeks to build the capacity of existing organizations to engage men in anti-violence work, particularly in their role as bystanders to other men’s violence. In 2007 and 2008, VAV will: develop a range of educational and cultural tools that reflect men’s experiences as survivors and bystanders while informing and inspiring diverse audiences, including digital stories by and for male survivors and bystanders of violence and a DVD facilitation guide and school curriculum; begin to develop a self-sustaining resource network to link and build the capacity of male individual and organizational allies engaged in this and related work; identify concrete areas for advocacy and organizing that men can take on to prevent and intervene against CSA in diverse communities; and develop the capacity of men to facilitate Circles of Support & Accountability that provide transformative opportunities through creating spaces that serve to support and heal while simultaneously illuminating the connections between the personal and political.

**Youth Network:** The Bay Area g5 Youth Collaborative is committed to developing the capacity of the Bay Area’s youth sector to respond to the impact of CSA on their constituents, connect them to support for healing, intervene in current experiences of CSA, and prevent future experiences or perpetration of CSA by youth and young adults. Having completed a CSA prevention and information booklet, My Body, My Limits, My Pleasure, My Choice: A Positive Sexuality Booklet For Young People, and an adapted version of g5’s three-day training for and by youth providers and organizers, the Collaborative is preparing to conduct a series of discussions to identify and then develop a strategic Bay Area wide plan to address the needs of youth organizations and the youth they serve towards CSA prevention and response. Over 2007 and 2008, the Collaborative will expand its Collaborative into a broader network of youth serving organizations, develop and share policies and procedures for responding to incidences of CSA, develop a plan for a Youth Leadership Institute for youth members interested in peer CSA prevention and support, and identify shared resources to provide training to staff and organizers and secure external expertise for increasing access to culturally and age-appropriate healing and intervention for Bay Area youth.

**Harm Reduction & Trauma Project:** A groundbreaking new collaborative of harm reduction agencies, mental health providers, violence prevention and intervention programs, trauma specialists, and evaluators. Emerging out of a decade of harm reduction trainings and conference workshops about trauma and violence, H RTP was formed out of a request for continued capacity building and has been meeting over the past year to develop this pilot model. By leveraging the combined expertise and resources of participating trauma specialists and violence prevention and intervention agencies, we aim to build the capacity of harm reduction agencies to provide more effective mental health treatment services to diverse underserved populations and communities. The 2007 and 2007 goals of the H RTP include: 1) Increase the capacity of harm reduction programs to prevent and respond to trauma & violence; and 2) Increase the capacity of trauma specialists and anti-violence organizations to effectively address drug use in working with trauma and violence.

**Asian & Pacific Islander Immigrant & Country of Origin Communities:** Developed by g5 graduates whose countries of origin include Japan and Iran, this network is committed to linguistic and cultural translation of g5’s materials, trainings and programming for use in immigrant Japanese and Iranian communities in the Bay Area as well as for use in their countries of origin. In 2007 and 2008, network members will continue to provide training and technical assistance to local communities as well as to g5 Chapters in Japan and Iran started by the network.

G5 also supports our training graduates and other organizers to develop and implement Community Resource Development and Prevention Campaigns. g5 supports this work via monthly organizing meetings to strategize and sustain local CSA prevention work; project team meetings to support evolution of community-based education, healing and accountability resources; local public education and awareness events; and on-going training, development and support.

#### Movement Support

- ▶ Integrating violence response and prevention into existing work
- ▶ Integrating personal transformation
- ▶ Integrating practices of accountability

Generation FIVE collaborates with diverse mass base and community-based organizations and social justice movements to raise consciousness about the importance of building our capacity to respond to and prevent violence, including CSA, into our organizing and movement building. We work with community-based and movement building organizations to integrate the capacity to support personal transformation and violence intervention into their existing work. We build this capacity through training, technical assistance, coaching, activist support processes and coalition building. Overtime, we hope to coordinate national gatherings to organize at the intersection of intimate violence and political transformation.

#### Training and Technical Assistance

- ▶ General 3-day and sector-specific training
- ▶ Technical assistance in application into agency

Generation FIVE offers 3-day Introductory Training nationally. This is aimed to deepen participants' understanding of CSA, the causes, roles and dynamics of abuse, and shift to an analysis that intersects individual experiences of CSA with broader social norms and oppression. We offer technical assistance to community based organizations, social activist and sectors who are interested integrating g5's approach to CSA prevention and response into their existing work.

#### Intervention Development & Application

- ▶ Design and evolve baseline models for intervention
- ▶ Support culturally relevant adaptation

When we begin to speak about CSA, hold community dialogues and organize within diverse communities, incidences of CSA surface. These past and present incidences need to be responded to in a ways that help to prevent further abuse. In partnership with a national and local collaboratives we develop and test Transformative Justice intervention models.

#### Public Education/Consciousness Raising

- ▶ Digital Stories and other cultural tools
- ▶ Mass media and communications

Through various cultural works and communications tools we reach a broader public. Within the last year we have screened g5 digital stories (created by g5 community organizers and staff) in Atlanta, New York City, San Francisco and at various house parties. We are in the process of expanding our story base to include voices of men, geographically diversity and the experiences of offenders. These digital pieces will include a discussion guide and g5 offers facilitation to support those interested in using the digital stories to raise the issue of CSA.

#### Building the Work Nationally

Because we recognize local communities as the only viable site for the implementation of Transformative Justice, g5 identifies strategic locations to launch our CRI program. Currently, the Bay Area, NYC and Atlanta are being developed based on the strategic partners that we have in each location, the readiness of the activist and service community, geographic and population diversity, and the resources available to support each location. Once Atlanta, our newest CRI site, has been established, g5 will convene national gatherings for local organizers from Atlanta, the Bay Area and NYC to share strategy, programming and skills. We also partner with other movements and organizations to create national partnerships and projects.

create space to allow people to develop mechanisms of resistance and change without relying on the public systems and State apparatuses that intimate violence perpetuates and reflects.

#### Maintenance of oppression

Child sexual abuse is one of the most intimate, stigmatized, and demonized forms of violence. Yet, the extent of child sexual abuse that occurs in the U.S. suggests a society that permits extreme forms of domination and exploitation. This is evident not only in the widespread nature of child sexual abuse, but also in the scale of U.S. international military, economic, and political domination, and exploitation.

Fundamentally, child sexual abuse is about the abuse of power. It is an extreme violation that often takes power away from people early on and can keep them from accessing their power throughout their lives. The Centers for Disease Control conservatively estimates that 300,000 children are sexually abused each year in the U.S. Girls are twice as likely as boys to be survivors: 30-45 percent of women and 13-16 percent of men report being sexually abused before the age of 18. An estimated 60 million survivors of child sexual abuse are living with its devastating impacts on health and well-being.<sup>11</sup>

The impact on adult women survivors is especially profound. Women with a history of sexual abuse are two to four times as likely to experience sexual assault during adulthood, and are three to nine times more likely to participate in sex work, than those who were not abused.

The U.S. Department of Justice reports that the odds of someone who has experienced child

sexual abuse being arrested for prostitution are 27.7 times higher than for a person with no abuse history.<sup>12</sup> Among women substance abusers, up to 90 percent have a history of child sexual abuse. Nearly 60 percent of female prisoners in one prison survey reported sexual abuse in their childhood.

The startling statistics on child sexual abuse and its consequences indicate that the people we want to move, the communities we want to mobilize, our members, our organizers, our activists are impacted by these histories in ways that often prevent us from accessing the power we need to realize liberation.

Disproportionately large numbers of women on welfare were sexually abused as children.<sup>13</sup>

As child sexual abuse happens across 'race', class, gender, sexual orientation, and geography, it is an issue that has the potential to unite people in struggles that address the conditions of inequality, dominance, oppression, and injustice that allow it

to continue. Because it happens most often in our intimate and community relationships, child sexual abuse calls on us not only to challenge these conditions and the State but also to heal and transform the ways that those conditions are recreated in our own behavior, practices, values, relationships, families, and communities.

Child sexual abuse is also early training in how to submit to, carry out, or collude with domination. Child sexual abuse often leaves those of us who experience it with a residue of shame that can leave us struggling to find our sense of power and self-determination. In this way, it can compound other forms of internalized oppression. In the same way that people are blamed for their own oppression, those experiencing child sexual abuse are often blamed for the violation that they experience, while those who perpetrate child sexual abuse and the larger systems keeping the abuse in place go unnoticed and unquestioned.

Child sexual abuse has been used throughout history in the service of imperialism and

<sup>11</sup> Felitti 1998

<sup>12</sup> Widom 1995

<sup>13</sup> Tolman and Raphael 2000; Lawrence 2002; Lyon 2000

colonialism. The sexual abuse of children has featured in war, colonization, missionary expeditions and slavery as a tool of domination that helps to subjugate a people by taking control over its children's bodies. War, occupation and displacement also create conditions that increase vulnerability to sexual abuse and violation. Child sexual abuse has been one of the expressions of, and mechanisms for, maintaining the power of men and adults over women and children. Understood by this historic and current use as a tool of domination, colonization, oppression, and exploitation, and simultaneously as one of the most intimate forms of violence, child sexual abuse encourages models of organizing and movement-building that bring together personal and political transformation.

### Economic exploitation

Under capitalism, children's bodies are objects that adults use to experience power and from which to extract pleasure, through different forms of sexual abuse from prostitution to pornography. Global sex trafficking of children is a growing and blatantly advertised form of the sexual commodification of children. No statistics are available on the exact number of children commercially sexually exploited in this country but the U.S. Department of Justice estimates the number to be between 100,000 and three million.

These figures include children exploited through prostitution, child pornography and trafficking for commercial sexual purposes. Many child victims of prostitution are only 11 or 12 years old, and some are as young as nine years old. The average age at which they are first commercially sexually exploited is reported to be 14, and the median age of exploited youth is 15.5 years-of-age. These children come from inner cities, suburbs, and small towns.<sup>14</sup>

The domination at the heart of child sexual abuse is rooted in a system of economic

exploitation that commodifies human life and sanctions the exploitation and control of a person's body for use by the person or people that sexually exploit them. This system of economic exploitation is inseparable from the history and practice of male supremacy, White supremacy and imperialism. Thus, it is no surprise that poor women and girls of color are the most vulnerable to sex trafficking and exploitation.

### Male supremacy

As an exercise in domination, child sexual abuse is grounded in histories and practices of male supremacy that normalize sexual violence as something that men cannot control and that grant men access to the bodies of women and children. Child sexual abuse is also about a perceived sense of entitlement to sexual gratification that is intimately connected to privilege. Men are more likely to sexually abuse children and adults. White, straight-identified men are more likely to sexually abuse multiple children than any other 'race' or than their queer-identified counterparts.<sup>15</sup>

The abuse perpetrated by these men is usually connected to a history of feeling persecuted, powerless, abused, or neglected. Their use of power to take sexual pleasure by abusing a child results from the contradiction between these men's feeling of powerlessness and the power to which they feel entitled by virtue of the systemic privilege in which they have been raised. Male supremacy teaches men that they are entitled to extract what they need from others and to take out their pain on others—whether for the purposes of power or sexual gratification. It has been estimated that 25 percent of sex tourists are men from the United States.<sup>16</sup>

### Homophobia

Child sexual abuse is bound up with homophobia and violence against queer communities. Queer men get targeted as

**Generation FIVE's vision** is to end the sexual abuse of children within five generations. Generation FIVE approaches all its work from a Transformative Justice framework. We seek to provide individual justice in cases of child sexual abuse while transforming the social conditions that perpetuate it. Rather than perpetuate the isolation of this issue, we integrate child sexual abuse prevention into social movements and community organizing targeting intimate and state violence, economic and racial oppression, and gender, age-based and cultural discrimination. Generation FIVE works to interrupt and mend the intergenerational impact of child sexual abuse on individuals, families, and communities. We do this through survivor and bystander leadership development, community prevention and intervention, public education and action, and cross-movement building. It is our belief that meaningful community response is the key to effective prevention.

**Transformative Justice Approach:** Generation Five, in collaboration with other social justice groups, is developing approaches to community based responses to intimate and community violence, including CSA. TJ is an approach that calls for individual as well as community accountability and transformation. It seeks to provide survivors with immediate safety and long-term agency, healing and reparations while holding offenders of CSA accountable within and by their communities. This accountability includes stopping immediate abuse, making a commitment to not engage in future abuse, and offering reparations for past abuse. Such offender accountability requires community responsibility and access to healing. Beyond survivors and offenders, TJ also seeks to transform inequity and power abuses within communities. Through building the capacity of communities to increase justice internally, Transformative Justice seeks to support collective action towards addressing larger issues of injustice and oppression.

### g5 Programming

G5 is committed to supporting community and mass-based organizing and social justice movement building. While we are not a direct service organization, we are committed to facilitating and supporting the development of community-based healing and response services. As we develop Transformative Justice approaches within communities, we will be engaging more directly with incidences of CSA and various methods of support, accountability and healing. The following are our 5 intersecting Program Areas:

- ▶ Community Capacity Building
- ▶ Movement Support
- ▶ Training and Technical Assistance
- ▶ Intervention Development & Application
- ▶ Public Education/Consciousness Raising

G5's programming is developed and coordinated by its Program Committee, a team of g5 graduates that provide leadership on the strategic direction of g5 programming and support for local and national implementation.

### Community Capacity Building

- ▶ Targeted 3-day Training
- ▶ Organizing and Transformative Justice development
- ▶ Community Program & Campaign Development

The targeted 3-day Introductory Training is a part of our larger Community Capacity Building approach. Through leadership training and sustainable organizing programs we generate leadership within diverse communities, sectors and social justice movements to prevent and respond to child sexual abuse and other forms of intimate and community violence. We do this in ways that are responsive to cultural, geographic, or population-specific experiences and needs. Generation FIVE partners with existing community-based organizations, activists, campaigns and institutions to evolve and integrate a Transformative Justice approach into their work.

Our Community Capacity Building programs evolved from a model that g5 has run for the past four years in the San Francisco Bay Area and in New York City (NYC) and in Atlanta for the past 2 years. In these locales, g5 has trained over 70 community leaders, engaged well over 500 community members and 100 collaborative partners in community organizing projects. After three training cycles, however, demand from program graduates, local communities, and organizations throughout the country compelled g5 to revisit the model. The 3-Day Introductory Training is the initial program, that leads to Organizing and Transformative Justice Development. This next phase of community capacity building includes a Community Assessment Process and then a Transformative Justice (TJ) Training and technical assistance to support implementation. The TJ Training develops teams or collectives of people to apply a Transformative Justice approach within their community, sector or movement.

<sup>14</sup> ECPAT International Database: <http://www.ecpat.net/eng/index.asp>

<sup>15</sup> Of abusers who perpetrate against young children, 90% are male and 95% are heterosexual (Holmes, and Slap 1998). The majority of child sex offenders are heterosexual, and many are simultaneously involved in consenting adult relationships. In one study, 83% of the offenders were heterosexual, and 17% were bisexual. Some of these offenders abused both boys and girls. Heterosexual men who abused boys usually said they did so because they identified with the boys (Groth 1990).

<sup>16</sup> ECPAT International Database: <http://www.ecpat.net/eng/index.asp>



## Appendix B: Generation FIVE Core Assumptions and Programs

The deep connections between child sexual abuse and systems of oppression and the role of the State in perpetuating both, calls for a liberatory approach to intimate, interpersonal and community violence. Such an approach seeks safety and accountability in our intimate and community networks without relying on the paternalism, racism, classism, homophobia, and criminalizing of the State. We call the community-based interventions and organizing suggested by this approach Transformative Justice. It is premised on the belief that the conditions which allow violence to occur must be *transformed* in order to achieve justice in individual instances of violence. Therefore, Transformative Justice is a liberating political and, at the same time, an approach for seeking justice. The following assumptions lay the foundation of the Transformative Justice approach.

**Ending child sexual abuse requires ending other forms of oppression and violence:** As previously discussed, child sexual abuse is a form of violence that is created by and supports other forms of violence and oppression. In addressing child sexual abuse we need to be prepared to address other forms of intimate and community violence that may occur along side the abuse. If we want to end child sexual abuse, we have to participate in movements and organizing that also address larger systems of oppression. When we make child sexual abuse a problem of the individual, we fail to understand and are therefore ineffective in changing the social conditions that make child sexual abuse so widespread.

**A changed world requires and supports individual, community, and political transformation towards liberation:** So often we work on political issues without supporting healing from and transformation of histories of violence and oppression. These histories and experiences can then get re-enacted within our communities even when we are committed to a future different from our past. For us this means not needing to react to our histories but acquiring the ability to act with a positive vision for our lives, relationships, community and the world. This is not an end point but a process. Personal healing so often isolates an individual or an experience from the context in which the person having the experience lives or lived. Healing happens most powerfully through relationships that support our transformation. And social justice organizing can be a powerful healer of violence and oppression when the healing work and the social justice work are consciously interconnected.

**True justice in cases of child sexual abuse and other forms of violence requires that we transform and do not perpetuate the very conditions—State violence and community injustice—that allow child sexual abuse to continue:** If we respond to violence by engaging repressive State systems or by taking revenge, then we are not acting within our commitment to social justice and we are also not preventing future violence. The isolation and community disintegration created by public systems furthers the conditions in which child sexual abuse continues to happen. If we use vigilantism, then we are often using the same systems of male violence and dominance that help cause child sexual abuse. The actions of someone who abuses reflect the conditions of the society or community that they are part of—they are a reflection of the practice, norms, values, and power abuses that our communities and societies participate in to greater and lesser degrees.

**Integration of anti-oppression practices:** If our analysis, structure, strategies and programs do not actively challenge oppressive dynamics, practices and structures then they are likely to collude or actively perpetuate them. Generation FIVE is committed to internal and external organizational practices and relationships that seek to challenge and prevent oppressive dynamics and promote healing and liberation practices. Accountability is an over-used and under-practiced concept in social justice work. We believe that transformation cannot happen without individual and collective accountability practices and processes. Supporting others in being accountable is an investment and demonstrates a belief in their potential transformation. Accountability is not just being accountable for an act of violence or oppression; it is a commitment to challenging and preventing violence and oppression as well as dismantling privilege and entitlement.

**Innovation, evaluation, reinvention:** Though we have learned from and built on the work and experience of the liberation struggles and transformative practices that have come before us, we do not know how to build communities or a world without child sexual abuse. We have to explore, test, analyze and innovate to discover the best strategies and approaches. Generation FIVE takes very seriously the process of developing Transformative Justice-informed strategies and programs, trying them, seeking feedback and then reinventing based on that experience and feedback. Our work is a constant process of strategic and conscious experimentation.

pedophiles and queer people in general as “different.” The association between queer sexuality and sexual crime is evident in the prosecuting of gay men who have consensual, public sex with other gay men as sex offenders, and subsequent listing of them on sex offender registries. When gender or sexual orientation steps outside of the heterosexist norm it is considered “deviant”.

In addition to the targeting of queer parents and families, the “deviance” label is used to prevent relationships between queer adults and children through social stigma and discrimination against schoolteachers, boy and girl scout leaders, and other youth providers who are identified as non-heterosexual. It has been statistically shown that, particularly with stranger molestation, it is largely white heterosexual men who end up serially sexually abusing prepubescent girls and boys, yet there is significantly more tracking, surveillance and prosecution of gay men. A similar targeting happens with men of color around all forms of sexual violence.

Another manifestation of homophobia is the common assertion that queer sexual and gender identity is “caused” by childhood experiences of sexual abuse. While child sexual abuse impacts peoples’ sexualities, it does not “make” people queer. The percentage of survivors, people who sexually abuse children, and bystanders within queer communities are similar to those percentages within hetero-identified communities.

This misperception that queer sexuality is caused by sexual abuse reflects a belief that heterosexual is “normal” and that non-heterosexual gender and sexual orientation is a “deviance” caused by a negative experience. This commonly held belief is another way that society reduces the sexual desires, identity, and relationships of people who are not heterosexual to negative experiences.

This reduction invalidates the love, desire, positive sexuality, and full range of sexual experience reflected in queer relationships and communities. This also creates additional barriers for queer people, families and communities to

identify the impact of histories of child sexual abuse in their lives and relationships. This reinforces the profound shame placed on queer children, youth and adults that Generation FIVE considers in itself a form of systemic sexual abuse. Incidents of sexual abuse and homophobia both create silence and shame about queer desire, sexuality, sexual relationships and love.

### Oppression and the impact of abuse

Child sexual abuse as an entry point for Transformative Justice is also important because systems of oppression determine its impact. The most punitive public systems and criminal legal sanctions are reserved for the poor, communities of color, and immigrant communities that lack access to the benefits of healing or other kinds of support and advocacy, and accountability and support services for those who are abusive. As with most “quality of life policing”, the labeling of a broad range of behaviors as sexual offenses furthers the capacity of the State to target poor people and communities of color in the name of securing a quality of life for middle-class communities.

An example of this is the attempt to pass laws in Georgia that charge people with sexual offenses for urinating in public. These laws are most likely to get used on people who are homeless and have no other options to public urination. In Alameda County, California, young women and men who are arrested for being sexually exploited in the street economy have been charged as sex offenders and carry that label and the resulting system of surveillance into their adulthood.

These laws utilize the charge of sexual abuse and sexual violence to target people without economic resources, largely people of color without resources. Simultaneously, they implicitly blame individuals for their lack of access to resources, and thereby obscure the role of our political and economic systems in creating the conditions of poverty and racism that create homelessness, harmful substance use, and survival sex work.

**Exploitation by the Right**

The Left is largely silent on child sexual abuse, and rarely integrates anti-violence work into its social justice movements. By contrast, the Right, in particular the fundamentalist Christian Right, actively uses the specter of child sexual abuse to advance an agenda that undermines the quality of life for vast portions of the population, including women and children, immigrants, people of color, working-class people, prisoners, queer and transgendered people, and many others. The Right's declaration of "family values" reclaims the importance and value of family in normative, heterosexist, and patriarchal ways. With these successes, the Right uses conservative discourses of gender and sexuality that create further divisions in communities and continue to move people to the right.

Child sexual abuse is an issue that offers a foothold to the Right in this agenda. For example, few images evoke more terror in the public imagination than that of a pedophile. Like the use of the War on Terror to justify extending the reach of U.S. military and economic power globally, these images are used to mobilize support for extending the reach of

the State into the lives and homes of those living in the United States. Such terror creates a paranoia that expresses itself in the demonization of anyone accused, much less convicted, of child sexual abuse. On a community level, this paranoia fuels the targeting of individuals, families and communities based on homophobic, racist and class-based stereotypes of a pedophile.

At a national level, this paranoia is easily manipulated to justify the intervention of the State. Child sexual abuse is being used to

promote conservative agendas of the Right, including laws such as Three Strikes, DNA testing, surveillance and public "outing" of those accused or convicted of child sexual abuse. These responses are an abuse of civil rights, leading to the criminalization and targeting of queer adults and families and men of color, and justifying the expansion of the prison industrial complex.

This agenda is driving an industry of criminal background checks for employment in public and private sectors—a trend to which even progressive organizations are succumbing. It is also fostering egregious violations of basic rights. The New York City Mayor's Special Crime Unit has used images of "predators that rape women and sodomize children" to support legislation that would mandate DNA testing on the "base of criminals from which sexual predators are found." At a meeting convened to discuss this legislation, the unit's Director went on to define this base as people who jump subway turnstiles, thereby justifying the DNA testing of youth, people of color, and others without resources, all in the name of child sexual abuse.<sup>17</sup>

The Right has successfully brought together the War on Terror, its anti-immigrant agenda and the terror of the pedophile in Operation Predator.<sup>18</sup> Though claiming to target U.S. citizens and non-citizens alike, more than 85 percent of the arrests made as part of Operation Predator (8,600 of 10,000) have been arrests of non-citizens whose charges make them removable from the country. To date, more than 5,500 non-citizens have been deported in the first four years of the initiative.

The Right's declaration of "family values" reclaims the importance and value of family in normative, heterosexist, and patriarchal ways. With these successes, the Right uses conservative discourses of gender and sexuality that create further divisions in communities and continue to move people to the

members of the community, while replaying the exercise of power and violence that lies at the heart of child sexual abuse itself. Vigilantism is inherently individualistic – once the offender is "taken care of" the issue is considered laid to rest and the wrong "righted." This response stops short of addressing family, community, and social conditions. Such vigilante practices do not ensure the safety, accountability and healing of those who abuse, nor do they meaningfully address the safety and healing of survivors or impacted community members.

Rage and anger are also at the root of other community responses to child sexual abuse, such as ostracizing community members to punish them for their offenses. The danger of ostracism is that it increases the isolation of those who are abusive (a major predictor for offending in the first place) and/or simply moves them into a different community, thus failing to address accountability or safety needs beyond what this limited solution can provide. Without adequate cooperation within and across communities, this can simply shift the problem to another group without any transformation of the conditions that created the problem, and without insuring that either group actually has the resources to hold a safety and/or accountability process. Often unable to accept offending behavior from someone known, blame is instead turned on the victim/survivor of child sexual abuse, the person who is bringing the issue forward or any allies rather than the offender or the people who enabled the offender (i.e. a non-protective mother). It is often easier to blame those who would ask the intimate or community network to acknowledge the abuse than it is to accept the sexually abusing behavior of someone known in the network.

*Denial by those who abuse:* Most people who sexually abuse children actively deny their activities even when they are caught or confronted. There are emotional, social and material rewards for denying child sexual abuse. There are almost no rewards for accountability. It is easier to actively deny the abuses than to face the consequences, including the threat to their relationships, the threat of incarceration, their public standing and reputation and ultimately their very ability to be accepted and belong within their family, community and society. Socially there is no acceptance of disclosure of child sexual abuse. The typical community response is demonization, ostracization and vigilantism. It cannot be assumed that someone who abuses will cooperate or speak truthfully when confronted about their behavior. Most will attempt to disempower the victim/survivor and actively dissuade others from believing the accusations. Too often adults turn against victim/survivors and toward collusion and denial rather than persist in questioning or insist on holding someone accountable for their abusive actions. Denial and collusion makes it extremely difficult to hold people who abuse accountable within the context of their relationships. Yet it is only in the context of relationships – where that person has something to lose if behavior does not change and something to gain if it does – that accountability and transformation can happen.

*Denial of victims/survivors:* Denial and minimization may be the best survival strategies available to those being abused. This is often the case if the recipient of abuse is economically, physically, legally, and/or emotionally dependent upon the person who is abusing, if they live in a context of family and/or community denial, or if they are being abused in an institutional setting (such as a church). In many cases, the best survival strategies may seem like silence, minimization and even cooperation. Shame also promotes silence and denial.

*Denial of bystanders:* There are many reasons why a bystander to child sexual abuse may choose denial instead of actively confronting the abuse. They too may be dependent upon the offender, may feel powerless to change anything, and/or may have their own histories of trauma or sexual abuse and actively deny what is around them in order to be able to continue to deny their own experiences. They may also have concerns about their social standing and acceptance within their community, bringing shame to themselves and relations or community institutions. Often protecting the "family" or "community" overrides protecting the victim/survivor. It may also be that the bystander sees this as the best way to protect the survivor: Beyond the problems of denial and privacy, the extreme level of stigma that is attached to child sexual abuse makes it very difficult for bystanders to intervene, talk to survivors, challenge those who abuse and assess the appropriate level of concern. There is an understandable fear of damaging the lives of survivors and those who abuse through mishandling the situation, provoking rumor or inciting backlash. It is important to work with all of these different understandings of people's responses in order to address and prevent child sexual abuse. This will include recognizing (recognizing what) and building capacity to move people from denial to effective responses and providing real alternatives that address the need to create safety, maintain family and community integrity, and bring about accountability.

<sup>17</sup>The Deputy Criminal Justice Coordinator of the New York City Council and member of the NYC Sexual Violence Task Force, public conference, NYC, 2003.

<sup>18</sup>An initiative of the United States Immigration and Customs Enforcement (ICE) in partnership with the National Center for Missing and Exploited Children, the FBI, the U.S. Postal Inspection Service, the U.S. Secret Service, the Department of Justice, INTERPOL and the Internet Crimes Against Children Task Force.

### Impacts of child sexual abuse

Child sexual abuse often has devastating impacts on its child victims and the future health, relationships and lives of the survivors, protective and non-protective adults, offenders, and the communities in which the abuse occurs. There is now extensive research to show the broad health and social impacts of child sexual abuse, including harmful substance use, physical and mental illness, subsequent abusive sexual and intimate relationships, and increased risk for incarceration and sex work.<sup>24</sup> The nature and severity of impact is influenced by several factors including:

- ▶ Relationship of offender to survivor / level of betrayal
- ▶ Form and severity of abuse
- ▶ Age, development, and stage of child in abuse
- ▶ Constitution and personality of child prior to abuse
- ▶ Ability to tell, and response once disclosure is made
- ▶ Experience of oppression
- ▶ The level of resilience that exists prior to the abuse

Information on factors that influence impact is important because whether or not we are able to prevent child sexual abuse we can reduce the severity of the impact based on how we respond, how we support resilience and the spaces we make available for children to share their experience. We can also support the resilience of children by building their capacity to heal from traumatic experiences. Widespread denial of child sexual abuse, and particularly its occurrence within families and intimate networks, means that such impacts are rarely connected to people's historical experience of child sexual abuse. It is much more common for individuals to be blamed for their troubled feelings (such as anxiety, depression, trust and intimacy problems, and other symptoms of post-traumatic stress disorder), poor health (such as chronic pain, eating disorders, sleep disorders, gastrointestinal illness, sexually transmitted diseases) and behavior (such as cutting, problematic drug and/or alcohol use, harmful sex).

### What to expect when addressing child sexual abuse

Typically, people's responses to child sexual abuse veer between the two extremes of collusion and anger. It can be helpful to understand these responses as common reactions to overwhelming experiences. They are survival-oriented, protective responses to that which is too painful or traumatic to address without support, emotional capacity, a political framework and skills to respond more effectively.

*Collusion:* The closer child sexual abuse is to an individual, family or community, the more that group tends to deny it is happening or minimize its impact. This denial and minimization co-exist with community attitudes that maintain that child sexual abuse is wrong and that it should be ended. However, those closest to the abuse are often the least well resourced to notice, address, and interrupt the abuse. The family may be financially or legally dependent on the offender (based on economic or immigration status). There may be other forms of intimate violence occurring in the relationships (domestic violence, sexual assault, emotional abuse). The child sexual abuse may be intergenerational with many of the bystanders already invested in not addressing it. There is usually little support within a family or community network for the abuse to be exposed. And of course, given the conflict and controversy likely to result when and if accusations are made, there are often many incentives to keep quiet.

An interpretation of family and adult-child power relations as private helps to perpetuate child sexual abuse. Even when people suspect a situation of child sexual abuse, rarely will they try to intervene. Intervention would break the social taboo against interfering in the privacy of other families and would challenge social norms about children as property of the adults closest to them, and family (and extended family) as private spaces.

*Anger and Rage:* Anger is a useful response to the violation and exploitation of child sexual abuse. Anger can mobilize effective responses when contained by emotional and practical capacity and a clear political commitment to transformation and justice. In contrast, rage is usually less productive. The nature of the violation and the severe social stigma attached to child sexual abuse understandably often evokes rage in people who hear of the abuse of a loved one or community member which can then manifest in the form of vigilantism. This response can serve to both discharge the emotional responses provoked by the abuse as well as exploit the emotional responses of community members. Vigilantism often presumes the guilt of whoever is accused without a process of assessment and therefore is sometimes mobilized against scapegoats. It also usually protects the reputation of powerful

### Linking individual and social justice

There are many examples of the leveraging of child sexual abuse for conservative agendas. Such examples highlight the urgency of creating a transformative response to child sexual abuse that prevents this exploitation while preventing the violation itself. Ending child sexual abuse will require both the creativity to build alternatives, and the courage to take on such a task within our own communities and intimate networks.

This calls for a shared commitment to securing both individual justice, in relation to specific incidents of abuse, and social justice, in relation to the systemic oppression that allows child sexual abuse to continue. This will involve creating support for, and representation of, sexual relationships based on pleasure, safety and consent, as well as alternative family structures built on the values and practices of equity and respect.

The nature and impact of child sexual abuse are a reflection and mechanism of systems of oppression. Shifting the conditions that would truly prevent child sexual abuse and bring a restoration of justice and self-determination for those that have experienced it, requires a shift in broader conditions of abuse, violence, domination, and exploitation. Therefore, Transformative Justice requires that we combine justice and self-determination for individuals who have experienced violation with struggles for liberation from systemic and State violence.

This is more than a critical mass of healed and powerful people building stronger movements together. There is power to be built in transforming the histories of violence and trauma that have real impact on our lives, organizations and movements. There is power in liberating our communities and movements from dependence on the State to respond to violence and injustice. As such, addressing child sexual abuse within a Transformative Justice framework offers us a model for bringing together the liberation of individuals, relationships, and communities from violence in such a way that aligns with our social justice commitments. This is critical to our ability to envision and bring our full power to the creation of a world liberated from oppression.

## 1.5 What allows child sexual abuse to continue?

As outlined above, intersecting forms of oppression, domination and exploitation contribute to the continued sexual abuse of children. More specifically, the status of children and their rights, our relationship to sex and sexuality as a society and as communities, and the fear of losing what we value most—our relationships—play a role in perpetuating child sexual abuse. Preventing the continuation of child sexual abuse requires that we address these factors. In doing so, it is important to stress that, by contrast with mainstream approaches that encourage sexually abused children to “tell,” Generation FIVE believes it is fundamentally the responsibility of adults to recognize and interrupt abusive dynamics.

### The lack of children's rights

The U.S. and Somalia are the only two countries in the world that have not signed the Declaration on the Rights of the Child. While such international human rights doctrines do not guarantee or even often result in an actual upholding of rights, it sends a profoundly disturbing statement that the world's richest country is not willing to commit to the social, political and economic rights of its children.

This is particularly problematic given the lack of civil rights for children. In the U.S., children remain under the control of their parents or guardians without any legal voice or decision-making rights about their lives. Those children whose parents are deemed “irresponsible” or “incapable” are then under the control of the State—themselves having little input into the choices available to them.

Children deserve protection that supports their increased self-determination, rather than maintaining the same dependency that allows child sexual abuse to continue. While there needs to be an age-appropriate engagement of children in processes to address the violence in their lives, our current public systems and laws do not recognize an increase in developmental capacity with an increase in the right to self-determination.

<sup>24</sup> Felitti et al, 1998

Beyond our general lack of recognition of the rights and developmentally appropriate self-determination for children and youth, there is a discomfort with the sexuality and sexual rights of children and youth. Many adults lack the ability to accept that children and youth are sexual and have a right to develop their sexuality in an age-appropriate way that will not be exploited by adults or other children with more power. This prevents us from being able to prepare young people to recognize the difference between what is pleasurable, consensual and safe sexual exploration and what is abuse and exploitation.

### Sex and power

Building a sense of a young person's self-determination over their body and sexuality is essential for preventing child sexual abuse and other forms of sexual violence and for supporting healthy and positive sexuality for the next generation. Positive sexuality can be understood as the full expression of sexual desire and identity that respects one's own and other people's emotional and physical safety and allows for sex that is consensual and pleasurable. Consent requires that everyone involved in a sexual act has the consciousness and power to decide whether or not to engage in sex. This is the opposite of the way that power gets used to exploit a child sexually for the gratification of an adult or another young person with more power.

If a child does not have a model or example of positive sexuality then it is hard for a child to know what it means when something happens that is sexually abusive. This also creates conditions in which children and youth are ill-prepared to express their sexuality positively, in ways that respect themselves and others. Instead, they remain vulnerable to adults or older children and youth who might exploit their feelings, sexual desires, or interest in experimenting.

Positive sexuality would encourage children and youth to explore their sexuality with

themselves or with their peers in developmentally appropriate, safe ways. Raising youth with a sense of positive sexuality also prevents the creation of offending behavior. Those who sexually abuse children often struggle with a desire to have power over others, and training that tells them that sex is the most powerful way to get and take power.

In U.S. culture, sex is still overwhelmingly understood and represented as a power dynamic. Most traditionally, this is expressed as the power of men to take sex from women and the role of women to give sex to men. The power of men within society is intimately connected to this scripting of men as the takers of power more broadly and women as enabling that power. Women are often viewed as having the power to evoke men's desire. Women are then often blamed when men 'lose control' and 'have' to take what they desire. In this power dynamic, it is up

Our lack of ability to acknowledge and support the sexuality and sexual development of children and youth creates vulnerability to sexual abuse.

to women to protect themselves from men's desire by containing their own sexuality or not inciting men's desire.

More generally, sex is reflected and negotiated as a relationship of power and desire between people. When consensual and not based on the coercive choices that traditional gender roles offer us, this exchange of power can be part of positive sexuality. But, more often than not, sexual power dynamics are unspoken and unexplored and result in unsatisfying and limited sexual experiences that are more about power and control than pleasure and intimacy. At their worst, these dynamics are the root of sexual violence, including the sexual violation of children.

The notion of sex as a form of power is used to sell almost anything. One way that capitalism exploits bodies for labor and pleasure is the linking of a product with increasing one's sexual desirability and access (usually men's). Conversely, women's and children's sexuality becomes a "selling point", reinforcing the idea that their sexuality is up for the taking by those with enough resources or power to do so. Many of the coercive and violent sexual power

- ▶ The relationship between the person who is abusing and the child
- ▶ Culturally-specific perceptions of what constitutes abuse
- ▶ Age differentials between child victims and those that abuse them

### Types of Perpetration

People are not born to sexually abuse children; their behavior is a reflection of the power dynamics, abuses, violence and injustice that is prevalent in society. This does not mean that when perpetration happens it can only be attributed to an individual's life history, or that perpetration is merely a "learned behavior." Some people whose histories place them at higher risk for offending never end up doing so, and this difference is especially pronounced between male and female survivors. Survivors largely do *not* go on to abuse children as adults. However, amongst those who do, a majority of those reported or prosecuted are male. More information is needed about what factors predict why some survivors will re-enact the abuse they experienced on other people, while others draw on their experience as motivation to protect themselves and others from further violence.

There are limited studies on female perpetrators. This is mainly because females are less likely to be reported due to gender stereotypes that avoid naming sexually abusive behavior by females—to do so would mean acknowledging that women could use the same kind of domination that men do. While there are increasing reports of sexual abuse by females, it is unclear if this is the result of an increase in child sexual abuse by women or an increase in reporting. Regardless, men, with or without a history of child sexual abuse, are more likely to offend.

Beyond this issue of how and why individuals perpetrate, it is crucial to not forget the role of the community and larger society in allowing the perpetration of violence. A person's ability to perpetrate, and their ability to be accountable, often relies on the cooperation of other individuals, social norms, and community institutions. Nonetheless, there are various distinctions in patterns of sexually abusive behavior which we describe in more detail below. It is important for us to be aware of these distinctions because they suggest very different implications for how to respond, and how to support the accountability and transformation of those who abuse.

*Situational Offenses:* These are instances in which children are sexually abused in a "situation" (usually a family, extended family or community setting) where there is easy access to children and trust and power have been previously established. Since most of the information about people who abuse comes from the public system, and most people in the public system who have sexually abused have not committed situational offenses, there is limited information on this type of abusive behavior. It is important not to generalize conclusions from treatment and research based primarily on chronic abuse to situational offenses.

*Chronic offenses:* In these cases, a person actively seeks access to children for the purpose of sexually abusing them, often abusing large numbers of children. While some people who abuse chronically may set up their lives, jobs, relationships and community to gain access to children, for others it is less all-consuming. People who chronically sexual abuse children may or may not have sexual relationships or activity with adults. People who abuse children chronically gain access to children in various ways, from cultivating a relationship with a child through material gifts or attention to the use of threats and force.

*Pedophilia:* "Pedophile" is a clinical and legal term for people who sexually abuse pre-pubescent children. It is also used to refer to someone who is sexually preoccupied with children, regardless of whether that preoccupation has yet manifest in actual incidents of child sexual abuse. Some people, on both the Left and the Right, argue that "pedophile" is a sexual orientation or preference, like being queer. It is essential to challenge this argument regardless of its political origins. While pedophilia might reflect a focus for someone's sexual energy, this is very different from the sexual relationships and preferences that are negotiated between consenting adults. Because of the "deviant" label put on LGBTTIQQ people as a result of male supremacy and heterosexism, it is easy for people to collapse the terms "gay" and "pedophile" together. This repeatedly plays out in stereotypes of gay men as pedophiles exemplified by the recent Catholic Church (Vatican) decision to respond to sexual abuse within the church by preventing out homosexuals from going to seminary and joining the priesthood. The vast majority of men who sexually abuse boys identify as heterosexual and are sexually involved with adult women.

While most people who sexually abuse children are adults, such abuse can also happen between youth. Deciding whether sexual activity between young people is abusive is made more difficult by society's discomfort with children's sexuality and sexual exploration.

While legal definitions of child-on-child sexual abuse vary, it is important to highlight the inequalities between children that create the context for abuse. Sexual activity between two children or youth can be defined as abusive when there is between them an inequality in age, mental and physical development, social status, or relationship of responsibility, trust or power.



### Forms of child sexual abuse

To develop the best intervention models, it is useful to make distinctions between different and overlapping forms of child sexual abuse. These distinctions demonstrate the diversity of child sexual abuse experiences. More importantly, understanding the different types of child sexual abuse helps us create equally diverse responses to effectively respond to and prevent it. Different forms of child sexual abuse include:

**Incest:** Incest is a sexual relationship between two or more members of a family or someone in a familial relationship. The term “incest” implies breaking a taboo of acceptable sexual relationships between family members. What constitutes incest is defined differently across culture and community. There is virtual consensus across various cultural and community contexts that sexual abuse committed by parents or parental figures and/or siblings is considered incest. However, relationships between cousins or other members of the family vary in acceptability and therefore in whether or not such relationships are considered incest. When not between two consenting adults or youth with similar power in a family context, incest is then the sexual abuse of a child by someone who holds a familial relationship to the that child and/or between two children or youth when one has more power and uses that power to sexually abuse another child or youth in the family.

**Community:** Community sexual abuse by someone who is known in the community but not a family member, for example a coach, teacher, pastor, or other familiar adult.

**Stranger:** This is self-explanatory. Stranger molestations account for 5-10 percent of cases, yet are the most covered in the media. Many child sexual abuse-related policies, such as Megan’s Law and Amber Alert, are designed to respond to incidences of stranger abduction and molestation.

**Institutional:** Institutional sexual abuse is any sexual abuse that has an institution behind it, or when the person abusing represents or is protected by that institution. Child sexual abuse within the Catholic church and child welfare residential facilities are two of the best-known examples.

**Ritual:** Ritual abuse is the organized or ritualistic sexual abuse of a child or group of children usually by a group of adults. The media mostly sensationalizes satanic ritual abuse, but this is the minority of the ritual abuse practiced. Ritual abuse includes any abuse that is planned and “ritualized” in the method, and may or may not be organized around a spiritual belief system. This could include organized sexual abuse of children within a community or religious network, a businessman who organizes for his partners to sexually abuse his children as part of their regular “ritual” of building relationship with one another, or fraternity practices of ritualized sexual abuse of women or initiates.

**Commercial:** Commercial sexual abuse includes the exchange of money or other resources for access to children to sexually abuse. Examples of this include sexual exploitation of youth by pimps, child porn sold through the internet, as well as sex trafficking of children nationally and internationally.

**Systemic:** Systemic sexual abuse offers a broader definition including: the systematic use of sexual abuse to control or dominate peoples or target people based on their sexuality. Examples of systemic sexual abuse include: the sexual abuse that occurs systematically in boarding schools or of enslaved or indigenous people by owners, colonizers and missionaries; the shame and violence caused by heterosexism/homophobia; and the repression of women’s sexuality as bad, evil, dirty, whorish.

### Definitions across cultures

When taking action to end child sexual abuse, it is important not to impose ‘Western’ conceptions of appropriate behavior onto non-‘Western’ cultures. This kind of imposition has a long history, rooted in colonialism, institutional racism, and class exploitation. Differences between cultures and societies must be considered when defining child sexual abuse and taking action.<sup>23</sup>

Across research from over 37 countries, penetration or forced oral sex of a child by a parent or sibling is considered child sexual abuse across culture, community, and country. However, whether other types of sexual activity are classified as child sexual abuse may vary according to the:

- ▶ Definition of “child” and the age that defines a “child”
- ▶ Definitions and dynamics of sex and sexual behavior
- ▶ Issue of and understanding of consent

dynamics that we have described here are mirrored (via advertising as well as TV programming) by corporate, monopolized media that reinforce relationships of power that promote competition, consumption, and hierarchy.

As the Internet evolves as a medium for communication and media, the explicit use of sex as a commodity for exchange has become easier for a larger number of people, and the age range of participants has increased. For mutually consenting adults, this medium can be an opportunity for sexual expression. But it can also create added vulnerability for children and youth seeking information and interactions not available elsewhere.

When denied information and support for safe and consensual sexual interactions with people in their own stage of development and with whom they share equal power relationships, children and youth are increasingly vulnerable to exploitation as they seek other outlets for sexual education and expression. The Internet provides information and support for youth, but it also increases their exposure to those willing to exploit them. This may be especially true for queer youth, given the lack of opportunities they have to explore and express their sexuality as a result of homophobia.

Even though sex is used explicitly throughout the media, we find it difficult to talk about actual experiences of sex or sexuality. Child sexual abuse and other forms of sexual violation are perpetuated by the discomfort with explicit conversations about sex combined with the bombardment of images, messages, and negative stereotypes about sex and power, people’s bodies and sexuality. The sexual abuse of children is an extreme expression of how sex and power are represented and practiced publicly and privately across relationships, communities and society.

Without a shift toward positive sexuality, the default will be a relationship to and experiences of sex and sexuality by children, youth and adults that continue to reflect and perpetuate abusive power dynamics rather than powerful, safe, consensual experiences of pleasure, intimacy, sexuality, and desire.

### Risking what is most important to us...

In addition to breaking the silence that surrounds sex, sexuality and sexual abuse, when we open a conversation about child sexual abuse often we feel that—and in fact are—risking what matters most to us: our most intimate, family and community relationships. Since child sexual abuse happens most frequently in our intimate and community networks, preventing and responding to it requires that we be willing to see it and address it in those networks.

Sex is a powerful experience—  
one that deserves explicit  
preparation so that the power can  
be in the experience of pleasure  
and intimacy within a context of  
safety and consent rather than a  
struggle for control, power over  
others, safety or survival.

Currently there are few models, little practice and a lack of permission for people to raise questions about dynamics between children and the adults that they are close to—this is more so when the concern involves questions about child sexual abuse. Even asking the question can risk a relationship. On the

other hand, there is little incentive or willingness for adults whose behavior is questioned to own potentially harmful behavior much less to ask for support in addressing it.

Whether sexual abuse is happening or whether the concern is reflective of a non-abusive but harmful dynamic, there is the potential for transformation toward more positive and healthier relationships. Support and encouragement are required for adults to be willing to ask and respond openly to questions about one another’s behavior. In addition to awareness and capacity building, there is a need for concrete, culturally relevant resources for families and communities interested in supporting such transformation and growth.

<sup>23</sup> For more information on cross-cultural studies of child sexual abuse see the UNICEF Report by Victoria Fahlberg and Sara Kernhar, in the Resources section of Generation FIVE’s website at [www.generationfive.org](http://www.generationfive.org)

Public system responses, both criminal legal and child welfare, offer little incentive for opening these conversations. The risk for the child, the adults and those that love either or both, is losing family, removal from community and relationships, exposure to State institutions, and incarceration. In addition, there are a lack of resources to support true healing and transformation for survivors, those who are abusive, and those in relationship to both. Until there are models that provide incentives for taking these risks and that offer support toward true transformation and reconciliation, the risk of loss of relationship and targeting by State systems are strong incentives to deny or collude with child sexual abuse.

### 1.6 What are the challenges of creating alternative justice models for child sexual abuse?

Generation FIVE aligns with prison abolitionist movements in seeking community-based justice alternatives to incarceration. We are committed to challenging the exploitation and racism of the prison industrial complex, and the criminal legal and public systems that feed it. This includes recognizing the violation of the rights of those accused, rightfully and wrongfully, of perpetrating sexual abuse against a child. This also includes highlighting the manipulation of people's fear around child sexual abuse that fuels a prison industrial complex that does not make communities safer. However, in our experience, we have come across two specific challenges in organizing alternative justice approaches to child sexual abuse.

The first is the tension between people's political commitments and their emotional responses to child sexual abuse. Thus, while people might vehemently oppose the prison system, they may see a punitive response as the only option when faced with the abuse of their own child. This tension is understandable when faced with the horrifying possibility of someone sexually violating a child that you love. Nonetheless, the alternative justice movement is

weakened if the only options seem to be vigilantism or relying on the systems of policing and imprisonment that continue the cycle of violence.

The second challenge is an unintentional minimization of child sexual abuse in the service of the political goal of not demonizing those who perpetrate it. In some discussions of alternatives to the current prison industrial complex, there can be an avoidance of the nature of the violation involved in child sexual abuse in an attempt to humanize those who perpetrate child sexual abuse. Instead, Generation FIVE insists on facing the reality of the abuse and maintaining the humanity of those who sexually abuse children.

Aligning emotional reactions and political commitments involves building the emotional capacity, practical analysis, and strategic, supportive relationships of people, communities, and organizations to engage on-the-ground intervention within a Transformative Justice framework. While Generation FIVE remains strongly opposed to the criminal legal system, there can be no real alternative to that system unless we develop viable models for individual justice that are connected to broader social change goals. In developing such models, it is important to learn from history and name clearly the challenges posed by searches for alternatives.

#### Restorative Justice

One such alternative that has developed out of this recognition of the problems of criminal legal responses is commonly referred to as Restorative Justice.<sup>19</sup> Restorative Justice models aim to restore intimate relationships and community bonds that have been damaged by interpersonal violence, through practices of community dialog and appeals to collective values. Restorative justice approaches seek to increase the involvement of community stakeholders, more fully address survivor's rights in the judicial process, and identify means to repair harm and restore balance in the community. Many of the most powerful Restorative Justice approaches in the U.S. and Canada have long been practiced within

## Appendix A: Understanding Child Sexual Abuse

### What is child sexual abuse?

Child sexual abuse, as with other forms of sexual violence, is the use of sex to exercise power over and inflict harm upon another. In the case of child sexual abuse, the target of sexual violence is a child, however "child" is defined in a particular community, society, or culture. This definition of child sexual abuse encompasses a wide range of experiences and activities. Child sexual abuse can include child pornography, sexual exposure/voyeurism, sexual exploitation, genital contact, penetration, sexual jokes, invasive hygienic practices,<sup>22</sup> and more hidden psychological and sexual preoccupations with a child. Sexual abuse can be coerced or manipulated by many means: from building trust and a "loving relationship," to providing materials a child or young person needs or wants, to using force. The vast majority of child sexual abuse happens in situations where the child trusts or is dependent upon the person abusing. Developmentally-disabled children and adults are particularly vulnerable to sexual abuse and are sexually abused at twice the rate of non-disabled children and adults. This demonstrates yet again that we live in a society in which those that are the most vulnerable, far from being the most protected, are in fact the most exploited.

### Different experiences of child sexual abuse

For each child who is sexually abused, there is a person or group of people who abused them in addition to the affected family and community surrounding them. For each circumstance of abuse, there is a circle of people who can play a part in allowing or preventing abuse. The roles involved in child sexual abuse include:

*Victimization:* The experience of those who have been violated and feel that they were or remain a victim of the experience or those who did not survive the violence.

*Survival:* The experience of those who have survived violence. This term is often used by the sexual assault movement and other activists. People who have experienced child sexual abuse may or may not want to identify as a survivor.

*Perpetration:* The action of those who have violated others. There are variables in how people offend- level of violence, repetition and likelihood to re-offend.

*Non-protection:* Adults who are unable or unwilling to act to protect a child or intervene when they are experiencing child sexual abuse.

*Protection:* Adults who act to protect a child or intervene in cases of child sexual abuse.

*Bystanding:* Bystanders are people who are not immediately involved in a situation but could be engaged to prevent or respond to child sexual abuse and become allies. This could be other family or community members. Effective mobilization of bystanders is from where the collective force to prevent and respond to child sexual abuse comes.

### Changing the roles people play in child sexual abuse

Adults, not children, are fundamentally responsible for ending child sexual abuse. Given the difference in power and dependence, children cannot prevent adults from abusing them. Leaving "telling" up to children means accepting that abuse will have already happened, and implies that it is the child's responsibility to address the problem rather than adults' responsibility to notice and intervene. This kind of response will never truly allow for prevention, let alone transformation of conditions that allow for abuse. It is important to recognize that it is possible to change such responses and the roles people play in relation to child sexual abuse, through community engagement and organizing. Such changes could include those who survive or are victims of violence gaining access to healing and agency and coming to identify as survivors (or a self proclaimed definition other than this). Other changes could include non-protective adults becoming protective as well as protective adults and bystanders becoming engaged in prevention and changing the community beliefs and practices and social norms that allow child sexual abuse to continue. It is also important to acknowledge that those who perpetrate violence can stop abusing and transform the behavior and underlying issues that compel them to abuse.

<sup>22</sup> Invasive hygienic practices refer to a preoccupation with the cleanliness of a child's genitals or anus. They might include the frequent or repeated douching of a child at an early age or the manual cleaning out of a constipated infant or child.

<sup>19</sup> See [www.restorativejustice.org](http://www.restorativejustice.org) for more information on these approaches.

experiences as survivors and bystanders towards informing and inspiring diverse audiences to participate in responding to and preventing intimate and community violence. These tools include digital stories by and for male survivors and bystanders and a DVD facilitation guide and school curriculum and the creation of a guide for facilitation of Circles of Support & Accountability that provide transformative opportunities through creating spaces that support male-identified participants in healing their own histories while developing their accountability to challenge and prevent violence—their own and others.

**Youth Network:** The Bay Area Generation FIVE Youth Collaborative is committed to developing the capacity of the Bay Area's youth sector to respond to the impact of child sexual abuse on their constituents, connect them to support for healing, intervene in current experiences of child sexual abuse, and prevent future experiences or perpetration of child sexual abuse by youth and young adults. The Youth Collaborative has completed a child sexual abuse prevention and information booklet, "My Body, My Limits, My Pleasure, My Choice: A Positive Sexuality Booklet For Young People". It has also adapted a version of Generation FIVE's three-day training to be conducted for and by youth providers and organizers. The Collaborative is now preparing to conduct a series of discussions to identify and then develop a strategic Bay Area-wide plan to address the potential for Transformative Justice approaches for youth organizations and the youth they serve. Plans are being developed for a Youth Leadership Institute to develop the capacity of youth to participate in Transformative Justice work.

**Harm Reduction & Trauma Project (H RTP):** A groundbreaking new collaborative of harm reduction agencies, mental health providers, violence prevention and intervention programs, trauma specialists, and evaluators. The goals of the H RTP include: 1) Increase the capacity of harm reduction programs to implement Transformative Justice toward preventing and responding to trauma and violence; and 2) Increase the capacity of trauma

specialists and anti-violence organizations to effectively address drug use in working with trauma and violence.

**Mother's Circles:** A Generation FIVE and long-time anti-violence activist and mother of a survivor of child sexual abuse is in the process of designing curriculum for a 16-week workshop series called the Mothers' Circle, for mothers to heal their own histories of trauma and violence, explore the contexts that prevented or supported their response to their children's experiences of child sexual abuse, and build capacity for responding to and preventing child sexual abuse and other forms of violence in the lives of their children, families and communities.

As reflected in the acknowledgments, there is a growing body of work on creating liberatory approaches to intervening in intimate, interpersonal, community and State violence. While this work is local and specific to the networks in which they are being developed and implemented, we are collectively building our capacity and power to continue to build alternative institutions of and processes for justice and healing. It is important that we bring this work to a scale that provides viable alternatives to either collusion or State violence. In doing so, we increase our ability to build the power to challenge the reach the State has into our lives and communities and to demand that the resources it takes from so many of us be used to support the widely practiced alternatives that we will have created.

We know this work is daunting. We don't have all the answers. We will face many challenges as we try to apply Transformative Justice into our most intimate lives and integrate it into our political commitments. Yet, history has taught us that we are all part of a long history of survival and resilience. Our ancestral, cultural, and political legacies tell us that something else, something just, is possible. We look forward to working, learning, and experimenting together as we struggle to build a movement for personal and political liberation.

indigenous communities that seek justice and conflict resolution using shared values and systems of accountability distinct from State systems.

Outside of these communities, the Restorative Justice approach has largely been co-opted by the State for use in coercive contexts in which the integrity of such a model is put into question. Some faith-based Restorative Justice projects have partnered with the State and become service providers in tandem with State-based systems of accountability. Other Restorative Justice models are offered as post-incarceration rehabilitation programs intended to "restore" the community standing of the person or people that are abusive. To a greater or lesser extent, these models do expand the possibilities of accountability and transformation through engaging and educating members of the intimate and/or community networks in which the abuse occurs. But such models have been appropriated by the criminal legal system as a way to involve the community in punishing the person that has been violent and then 'restoring' the conditions that already existed when the abuse originally took place.

Across the different communities applying the Restorative Justice approach, we question the degree to which this approach allows for challenges to dominant power hierarchies within any given community. Shared, collective values that perpetuate violence may go unchallenged. Restorative Justice models have been critiqued for paying insufficient attention to:

- ▶ Family and community power relations;
- ▶ The subordination of survivor needs and agency for the sake of "the restoration of the community";
- ▶ Shared values that may be sexist and homophobic; and
- ▶ Patterns of racial or economic disempowerment within a community.

The demand to "restore" the wholeness of the community might come at the expense of genuine accountability of the person who is violent or the safety of the survivor(s) or others in the community. Interventions based on such

models risk colluding with violence they are intended to end.

At the same time, the emphasis on restoration assumes the conditions that existed prior to an individual incident of abuse are desirable and should be restored. This ignores the common lack of rights for children, abuses of power, gender inequality, legacies of slavery and colonization, and other types of violence that pre-date and co-exist with ongoing incidents of violence. As such, these models often focus on the restoration of the *status quo* and ignore the challenge of transforming the conditions of social, economic and political injustice that are the context for, and cause of, violence.

### Other Community Alternatives

Activists working for alternative justice frequently look to the "community" as the site and system of justice. But the viability of this approach depends on community structures and institutions that, in many cases, have been devastated by the very systems of oppression and State violence against which social justice movements are working.

Generation FIVE defines "community" as a group of people in relationships based on common experience, identity, geography, values, beliefs, and/or politics. The idea of community is often romanticized by the assumption that it is a cohesive group with common values, interests, and priorities. However, people doing violence prevention and response work inside of the communities in which they live are often challenged by structures and relationships of power invested in maintaining the inequalities that allow intimate and community violence to continue.

The existence of oppression within a community, and the lack of knowledge, resources, and capacity often diminish the ability of communities to respond. Another romanticized notion of community is that there is an inherent commitment to justice and non-violence that would support transformative solutions and that communities actually have their own answers to the question of violence. Whether because of vested interests, conservatism, or the legacy of

oppression suffered by the community, communities often struggle to come up with transformative responses to violence or even responses that are less repressive and violent than those of the State.

When communities do attempt to engage in alternative justice models that challenge the role of State intervention, they risk being targeted by the State; the risk is even greater when they are the very same communities that are already being targeted by the criminal legal and other State systems. Building capacity to respond to this targeting of communities by the State and targeting of people within communities who challenge violence and power inequities is essential. We need cross-community mechanisms of accountability and support. Accountability mechanisms need to be shared across communities to challenge the power that protects and defends violence and to support those targeted or isolated in their attempts to address violence and transform the conditions that allow it. Cross-community support and relationships can support us in building our collective capacity to defend communities against State targeting.

Another alternative justice approach is Community Policing, a model that establishes community norms for acceptable and unacceptable behavior that are then employed to judge fellow community members. These norms rarely depart from State standards and laws, however, and are fundamentally about preserving property rights and social ‘order’ rather than transforming conditions of social injustice. Furthermore, many Community Policing models are often linked explicitly with law enforcement agencies, serving a community surveillance function in monitoring ‘anti-social’ behavior. Such models—regardless of intent—often reinforce and enforce oppressive norms based on homophobia, racism, sexism, and ableism (particularly against people with mental health issues or intellectual disability).

In our search for models that support the Transformative Justice politic, we have learned important lessons from those experimenting with alternative justice models. The degree to which

Restorative Justice and community-based alternative models align with the values of social justice might largely rely on a shared commitment to anti-oppression practices and principles, transformation and individual and collective justice.

### 1.7 Why is an understanding of trauma important to Transformative Justice?

Our historical and current relationships to all forms of violence create limitations to building social movements; violence and trauma have huge impacts on how we “be” in our social movements, what visions we are able to imagine, and our ability to build power. This means that our experiences of violence also create limitations within existing social movements. It is important to have processes in our organizing through which we can practice Transformative Justice. By doing so, we become more able to transform our own relationships of power in a way that holds people accountable, equalizes power, and allows for transformation. By not doing this work, we imply that the power inequalities that happen between us as individuals will somehow transform themselves through our challenging of the violence out in the world.

Without transforming the inequalities of power between us, and healing from the violence done in our own lives, the power we have against broader institutional violence is limited. To build our power to confront institutional violence, we must put in place processes for addressing issues of power inequality that happen between us in our organizations, sectors and movements.

This is difficult work to do. The institutional violence we face often times takes precedence, and quickly becomes all-encompassing. Working in such an oppressive context, we often internalize this oppression, and become unaware of how our relationships could be different. Given the amount of safety, capacity, time, support, and resources required for doing this work in addition to challenging the systems of oppression we are acting within, tolerating these inequalities is a good survival strategy. Nonetheless, this is not a transformative strategy.

For those of us interested in integrating Transformative Justice into our sexual and domestic violence work and other community-based services, we offer this paper as support for the many ways we are trying to develop community-based prevention and responses to intimate and community violence.

Organizations engaged in sexual and domestic violence work might begin with a joint study of this paper and an assessment of the following questions:

- ▶ To what extent does the organization currently collude with or resist State violence? In what ways are we already responding to violence outside of State or legal measures?
- ▶ What kind of criteria exists for deciding when to and when not to engage the State? What protocol and policies are in place to respond to violence outside of State intervention?
- ▶ How do the Transformative Justice principles align with or challenge the mission and politics of the organization?
- ▶ What preparation might be necessary to develop and support community-based responses to and prevention of violence?
- ▶ What kind of support do we provide to staff and member around their histories of trauma?
- ▶ How can we participate in campaign, community organizing and political activism that challenges the conditions which perpetuate intimate and community violence and challenges State violence?

As Generation FIVE continues its own work of applying Transformative Justice locally and developing replicable models and resources, we hope to support your exploration of this work and local capacity building. We encourage the study of this paper and plan to offer a study guide to help spark discussion. Generation FIVE and many of the other organizations acknowledged in the beginning of this document can provide reading about frameworks and models that contribute to the development of liberatory approaches to violence. Generation FIVE also has a library of digital stories by our activists that offer stories about the connection between child sexual abuse, other forms of violence and oppression. These stories point to the importance of a Transformative Justice approach.

There are many popular films that address child sexual abuse and can offer openings for dialogue and application of Transformative Justice concepts and practices. Generation FIVE is participating in Creative Intervention’s National Storytelling Project through capturing stories of attempted non-State intervention in child sexual abuse. Through this partnership we hope to provide written and digital stories that offer examples of creative intervention.

While our capacity to provide direct support to intimate network responses to child sexual abuse is limited, our Web site has a comprehensive resource list to support this work—an excerpt of which can be found in Appendix E. An important piece of our work over the next several years is developing and sharing models for healing, accountability and transformation of conditions that we can adapt and replicate across our sites of practice. Until then, we offer these resources in hopes that they provide a piece of what might be needed, even if not completely aligned with the politics offered in this document.

Generation FIVE is excited to share the successes and learnings from the building of Transformative Justice Collaboratives in Atlanta and the Bay Area, and is available to support activists and organizers in building local Collaboratives to adapt and implement Transformative Justice in their locations. We offer technical assistance, three-day trainings, and strategy consulting towards this goal - see Appendix B for a description of Generation FIVE’s programs.

Our network of activists in the Bay Area, New York City and Atlanta are preparing to pilot intervention in incidents as part of their existing innovative work in addressing conditions that perpetuate child sexual abuse. The following are a few of many examples:

**Voices Against Violence (VAV):** A collective of male-identified activists seeking to build the capacity of existing organizations to engage men in anti-violence work, particularly in their role as bystanders to other men’s violence. VAV has and continues to develop a range of educational and cultural tools that reflect men’s



## Conclusion and Next Steps

We seek alternatives because we know that our lives, relationships, communities and world are colonized by violence. We offer this paper as part of on-going dialogue and struggle to find liberatory approaches and responses to all forms of violence. We view this work as integral to our shared commitment to social justice. The search for liberatory approaches is already underway—in intimate and community networks, organizations seeking alternatives to State violence, incarceration and policing, and movements committed to ending intimate, community and systemic violence.

We believe the first step is politically and emotionally preparing ourselves to hold these difficult conversations. We caution against jumping in too quickly—especially for those of us seeking ways to apply Transformative Justice in our own intimate and community networks. The relationships and dynamics surrounding violence are complicated, and we all have very little practice (and even fewer resources) in navigating and sustaining a response. As history has demonstrated, we will be vulnerable to backlash as well as targeting by the State or by those inside of communities who are invested in maintaining their power or the power of others to abuse. If and when we feel prepared, are supported by and in relationship with a strong Collective, have identified the resources we or those experiencing violence may need, and are ready to sustain a response, then we suggest for people to connect with some of the organizations identified in the beginning of this paper for some outside support. Another place to start, or an important accompaniment to response, is education and dialogue within and across intimate and community networks that we are part of or in which abuse is taking place.

For those of us seeking ways to apply Transformative Justice in our community and mass-based organizing, we hope this paper will serve as a tool for discussion, reflection, and action. We believe this paper offers a framework for exploring an organization/network's role in responding to and preventing intimate and

community violence experienced or perpetrated by staff or members. We look forward to thoughtful conversations about the role violence plays in the lives of staff, members and the base and how this violence impacts on the organizing or political goals.

Organizational or activist networks interested in Transformative Justice might begin with a joint study of this paper and an assessment of the following questions:

- ▶ To what extent does the organization currently collude with or resist violence, abusive dynamics or the State's role in responding to violence? In what ways are we already responding to violence and abusive dynamics outside of State or legal measures?
- ▶ What kind of protocol and policies are in place to respond to violence and/or abusive dynamics experienced or perpetrated by staff and/or members in a way that aligns with the organization or network's political commitments?
- ▶ How might we adapt the Transformative Justice principles to align with the organizational or network politics to guide protocol and policies?
- ▶ What preparation might be necessary to prepare to develop responses to and to prevent violence and abusive dynamics that surface through the work?
- ▶ What kind of support do we provide to staff and member around their histories of trauma? What kind of processes can be integrated into our work to support personal transformation as it is connected to participation in community and political organizing?
- ▶ In what ways do our campaigns challenge the State and in what ways do they leverage the State? When is it important to leverage legal or State systems to challenge the State and community conditions? When is it important to create alternatives to the State?
- ▶ How can we integrate Transformative Justice into our organizational or network operations, political relationships, roles in preventing and responding to intimate and community violence, and campaigns?

Understanding trauma and supporting resilience are critical not only to addressing child sexual abuse and other forms of violence but to increasing our effectiveness as healers, organizers and activists. Our histories of violence and trauma, including those of child sexual abuse, disable us from accessing our own power and thereby being powerful in our struggle against systemic violence. People's relationships to violence and trauma, whether those relationships are historic or current, individual or collective, help determine what we think is possible, what impact we think we can have in the world, and how much we trust other people. Our experiences of violence and trauma become barriers to being in and building relationship with each other, and to building community as we build social movement.

We use the word "trauma" to describe harmful experiences that persist long after an immediate threat or abusive experience is over. The impact of trauma can live on in the individual, group, or culture for years and even generations. For individuals, trauma is an experience that affects body, mind, emotions, spirit, and our relationships. The impact can establish patterns of reactions based on traumatic experiences from the past, irrespective of whether the present actually reflects the same dangers or not.

These typical reactions such as denial, paralysis, hopelessness, blame, rage, and shame play out in our interpersonal and organizational relationships. They are also present in the responses we may get from the communities and networks in which we live, organize and work. The better we can identify these responses, the more effective we can be at moving individuals and collectives from less useful traumatic

responses toward those that can support personal and political liberation.

When experienced by a group, trauma affects individuals, relationships, and group capacity to build health, wellness, and collective power. Trauma can be caused by individual experiences such as child sexual abuse, domestic and other intimate violence, invasive medical procedures, life-threatening illness, or torture. Collective trauma can result from group experiences such as genocide, displacement, poverty, incarceration, mass sexual violence, or natural disasters. When we are traumatized to the point of disability by our histories, we are often unable to effectively respond or act in instances of current violence.

Understanding the long-term consequences of trauma can also help us in challenging State and organizational policies, political frameworks, and community practices that blame individuals for their survival responses to their histories of trauma and violence. Moreover, understanding resilience can help us better support the individual and collective survival and resistance upon which the securing of social justice is built.

When this happens, we wind up reinforcing the unsafety and disempowerment caused by those histories of trauma, violence, and oppression. As we transform and heal these painful experiences, we are better able to address current experiences of violence, trauma, and oppression.

Understanding the long-term consequences of trauma can also help us in challenging State and organizational policies, political frameworks, and

community practices that blame individuals for their survival responses to their histories of trauma and violence. Moreover, understanding resilience can help us better support the individual and collective survival and resistance upon which the securing of social justice is built.

Resilience is the ability to holistically (mind, body, spirit and relationship) respond to and renew ourselves during and after trauma. It is the ability to shift ourselves from automatic survival responses – some of which may be useful, some of which may have undesired consequences – to a more calm, connected and cohesive place. For example, the ability to engage in intense conflict

may be a survival response that comes out of a history of trauma or violence. This can be very useful for self-protection as well as for challenging those who are abusive, oppressive or acting out of privilege. Such abilities can be put to good use in our activism and organizing.

However, when our ability to contain this response is limited by past traumatic experiences, this response can play out within our organizations, networks, or communities rather than be used strategically in struggles against those or that which is creating the conditions from which we are seeking justice. In contrast, resilience would offer the choice to engage in conflict when necessary and avoid it when it may be destructive to relationships or counterproductive to meeting the goals of our community organizing or activism.

On a collective level, communities with shared histories of trauma and oppression have survived through creative forms of collective resilience, whether they be art and culture, spirituality, armed resistance, oral histories and storytelling, or the healing arts. All of these forms of collective resilience have been used by African American communities in dealing with the intergenerational trauma of slavery.

Generation FIVE believes we are all fundamentally resilient and creative beings. We seek to organize and participate in movement-building that supports and builds the resilience of individuals and communities. We seek to help create the resources and practices necessary to transform the harmful behavior that undermines our liberation work and our power.

### **1.8 A call to action for the Left and the Sexual and Domestic Violence sectors**

We have argued here that individual and social justice are connected, reliant on each other, and mutually reinforcing. We have also argued that State responses to violence support neither individual nor collective justice. Based on this, we assert that the Left must address both individual and social justice and that it will have to develop alternative processes and institutions, grounded in

Transformative Justice values, in order to achieve results or mobilize masses of people. But, of the many issues that affect the safety and well-being of people and communities, why specifically focus on violence?

In this paper, we envision social movements that support the needs of the collective to find justice for an individual, while working for social justice and liberation. Having an orientation of social justice is the foundation for bringing justice to individual incidents of violence and abuse. This is strategic because addressing individual incidents of violence can be an entry point for mobilizing people to address conditions that create injustice in our communities. This is transformative because an experience of justice or liberation on a personal level can invest people in the possibility of broader change.

The more liberation we experience, the more powerful and useful we become in the struggle to confront the devastation and attack on our communities and movements. The opportunity for this work exists in the creation of mechanisms to address abuses of power, inequality of power, and leveraging of privilege and entitlement. We seek to do this work in ways that are not ostracizing or isolating but that serve to transform our relationships with each other. Built on this foundation, we envision alternative institutions of justice that would invest larger segments of the public as they became increasingly viable. This might be maintained through the building of an interconnected system of alternative institutions that, theoretically, could one day transform the State itself. In the same way that we challenge the Left to view individual transformation and social justice as fundamentally connected, we challenge the sexual and domestic violence sectors to expand their work to include transforming the conditions that allow violence to occur and to explicitly challenge State violence.

This vision includes the prevention of intimate and sexual violence by shifting the conditions of oppression and domination that allow that violence to happen. In order to do this work, we are motivated to find ways not to reify male supremacy as this power is challenged, but

We can use a Transformative Justice approach to intervene in campaigns that leverage state violence to address oppression. For example, Kay Whitlock challenges the assumption that justice can be found in hate crimes laws that “compound rather than counteract the systemic violence of racism, misogyny, homophobia, poverty, and economic exploitation.”<sup>21</sup> Mass base organizations such as FIERCE and the Audre Lorde Project in New York City have taken up this challenge through innovative work to create community-based responses to hate crimes against transgender and queer youth.

A Transformative Justice framework was also used to challenge members of a southeast reproductive justice coalition wanting to launch a campaign to demand that pharmacists perform criminal background checks on men seeking Viagra. One member argued that sexual offenders and pedophiles can obtain Viagra with virtually none of the obstacles that women face in seeking emergency contraception. It was suggested that men trying to obtain Viagra should be put through the same hoops as women seeking emergency contraception. The Transformative Justice activist challenged this proposal by urging the Coalition to focus on the State repression of women’s choices rather than leverage that same repression against men—particularly the men of color most likely to be targeted by such a campaign.

Transformative Justice offers our movement an orientation towards campaigns that move away from criminalization and towards true transformation of individuals and conditions. Transformative Justice offers our movements a means of addressing the way that power and privilege, abuse and our own histories of trauma play out in our relationships, organizations, activism, and movement-building. Rather than isolate, collude with, or deny the abusive behavior of activists and leaders, we can create processes that promote transformation of individuals, relationship, organizations, and movement practices towards the justice, health, respect and equity we want to create in the world.

<sup>21</sup> From Kay Whitlock’s *In a Time of Broken Bones: A Call to Dialogue on Hate Violence and the Limitations of Hate Crimes Legislation*.

velop our understanding of how those conditions need to shift and deepen our commitment to participating in such shifts, the more we will be able to do so.

- ▶ Bystanders take action, thus helping to build a greater sense of collective responsibility and community, of people investing in the well-being of broader and broader circles of people. Moreover, the process of bystanders engaging in processes that include an identification of the conditions that create violence and abuse can be politicizing.

### Practices for broader transformation

It is important to orient accountability and healing work toward the larger goal of strengthening movements for social justice. One way we can do this is to strengthen the abilities of people who have been abusive in the past and of bystanders to mobilize and strengthen their roles as allies and leaders in Transformative Justice politics and practice. Another way this occurs is when people who have been abused engage in a process of trying to change their situation. This not only raises their own capacity and consciousness but also builds a resource for others in the community. This step can inspire others to change their own situation.

The impact of interventions can also increase as Collectives share their learning with each other. It is important to think of Transformative Justice as a dynamic process that offers the opportunity for not only action, but also reflection, learning, consciousness raising (personal and collective), and relationship building. Implementing this cycle of learning as well as consciousness-raising throughout a Transformative Justice process has implications for the way that the Collective works together. The Collective can address the need for change at the level of community by broadening the focus of its work to include efforts to:

- ▶ Engage in changing the community values and practices, community institutions, and social norms that perpetuate child sexual abuse

while strengthening those values and practices that prevent it.

- ▶ Use collective processes of accountability and healing as opportunities to educate social networks, service providers, and the broader community about the conditions (communal, institutional, structural) that perpetuate child sexual abuse and that must be transformed in order to end it.
- ▶ Use collective processes of accountability and healing as opportunities to organize and expand community-based models of justice that move beyond restoration of “normal” conditions and instead seek to transform the conditions that perpetuate child sexual abuse and other forms of violence.
- ▶ Use the intervention in an incident to politicize those involved around issues of systemic and State violence and develop or deepen the commitment to social justice.

The need for change at the community level can be addressed most powerfully by supporting community organizing and organizers in the integration of child sexual abuse prevention and response into their work.

It is important to think of Transformative Justice as a dynamic process that offers the opportunity for not only action, but also reflection, learning, consciousness raising (personal and collective), and relationship building.

### 3.10 Strengthening collective resistance

Generation FIVE’s experience has been that working to respond to child sexual abuse can help to strengthen our collective resistance to the oppression that communities face. Responding to child sexual abuse within the political framework of the Transformative Justice approach helps to strengthen our collective resistance by:

- ▶ Building both political and emotional capacity to transform relations and systems of power.
- ▶ Extending the practice of accountability from the individual to the institutions responsible for perpetrating oppression against the community.
- ▶ Offering a way to heal the intimate bonds of people’s lives in the service of greater solidarity in the face of oppression.

to transform it. We are also motivated to assess how to engage the specific conditions in which violence has occurred, which will be different based on the community, the kind of relationship, and the details of that specific relationship. Addressing the ways that ‘race’, class, gender, sexuality, ability, immigration, and legal status are relevant in a given situation will help determine what an effective intervention might look like and what dangers a State intervention might present.

In addition, individual incidents of violence do not only involve someone who abuses and someone who has been abused. They also involve the people touched by this violence as it impacts those people’s networks. Through community accountability and responsibility for prevention, we not only have the opportunity to address the specifics of an individual instance of violence, but to help strengthen a community’s ability to address other incidents of violence. The potential institutionalization of these alternatives might disallow for State intervention in such a way that potential collusion with systems of domination and oppression, and further harm, is avoided.

In short, this paper envisions the bringing of justice to individual incidents of violence as part of, and inseparable from, a struggle for liberation. Building people’s faith that justice is possible is not an abstract goal, but an intensely political project. Reforming existing public systems is not a political project that can provide liberation and justice for individuals or for us as members of society more broadly. What is required, ultimately, are shifts in relations of powers that reflect visions of equity. The Left is comprised of people who are already envisioning those radically democratic societies in which intimate, community and State violence are challenged and transformed. The Left is comprised of people who understand our behavior to be shaped in part by the systemic and institutional violence and oppression within which we live, and not only determined by our personalities or specific histories.

It is our hope that those of us with a commitment to and a vision of a different world would support the kind of transformation

discussed in this paper. Those of us with a commitment to the values required by the struggle for social justice will be able to balance emotional reaction and response with political commitment and goals in the face of gross personal injustice. Many of us have experienced gross injustices that have deepened our commitment to understanding the world as it is and to creating new visions. This trauma can produce incredible forms of creativity and resilience, as well as limitations that keep us from actualizing those possibilities to our fullest potential. In dealing with our own experiences of oppression and violence and how they play out among us, we become increasingly more able to transform the conditions that allow that violence and oppression to occur, and to create the just world we seek and deserve.

The work of Transformative Justice is not simply a task of changing others. Those of us who are engaging in this work, too, will be changed by the kind of deep community-based practice that Transformative Justice requires. Through this deep engagement with expanding circles of community, our visions of change will continue to evolve, as will our ability to apply the work to our organizations and movements more broadly. We will therefore be more able to create spaces that allow us to explore our own collusion with the oppression we fight. It is the combination of accountability and compassion within a Transformative Justice approach that makes this possible.

## Section 2: Principles of Transformative Justice

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

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

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

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

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

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

### 2.1 Goals and principles of Transformative Justice

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

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

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

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

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

potential to transform, rather than maintain, those conditions.

#### Sustaining accountability

Accountability is not an event but an ongoing commitment. Even those who want to hold someone accountable often mistake how much effort and commitment it takes to support people to stop their abuse and the behavior that drives the abuse. There is often a strong impulse or entitlement driving sexually abusive behavior which is not easily transformed. The most successful models, such as the Mennonite Circles of Support and Accountability, have shown best results with very high levels of engagement from a support and accountability circle. In this model, the circle makes a year commitment to meeting daily with the person who is abusive to support them in their commitment to not abuse. After a year the team and the person who is abusive adjust the intensity based on need.

This is an enormous commitment of time and resources. However, the process of change takes time, particularly to move someone who is abusive from relying on coercion and outside mechanisms of behavior change to internalizing those changes. The deeper the transformation of what drives the person's sexually abusive behavior, the more time and support necessary. Part of our work must be creating culturally relevant, community specific models that Collectives can use to support accountability and transformation for those who are abusive.

It is important not to assume that those who are abusive, the immediate social network, or the broader community will uphold accountability, especially in the face of backlash and resistance. Those who abuse children can be skilled manipulators and can turn communities of accountability into communities of enablement. This can happen in many different ways. For example, the person who is abusive can very compellingly express remorse and a commitment to accountability but continue to be abusive in greater secrecy. Those providing support and facilitating accountability can be susceptible to manipulation because of their compassion, their own belief in people's ability to change, and their own investment in the process of change.

The people who are intervening need to assess the level and amount of time they are willing to commit toward supporting this process of accountability. If the capacity is low but the concern of continued or future abuse is high, then questions are raised about the true potential for accountability through community processes. Low capacity might require considering the removal of someone to a situation that places them in less contact with children or other solutions that stop the abuse even if they do not facilitate longer term accountability.

This raises challenges of sustainability and the question, “What will sustain people through the process of holding someone accountable?” It is critical that the Collective thinks through ways to secure the financial, material and/or human resources that they will need to implement a plan for accountability over the time necessary to produce desired changes.

### 3.9 Working for community transformation

A key practice of Transformative Justice is to seek to change the conditions that allow child sexual abuse and other forms of violence to occur. Individual actions we take regarding a specific incident of child sexual abuse can also contribute to broader transformations when:

- ▶ Survivors take action in ways that embody self-determination and agency that is the source of transformation and that challenge broader dynamics and relations of power. For example, when congregants from the Catholic Church gather together to hold those with authority in the Church hierarchy accountable for their role in perpetrating or colluding with sexual abuse, they are shifting the power inequities that create conditions in which that same abuse could manifest.
- ▶ Those who are abusive are humanized and held accountable with compassion, thus challenging their demonization and “othering”. The behaviors of domination and control that are fundamental to child sexual abuse are an extreme expression of, not an aberration from, other power relations we negotiate. Seeing the humanity in a person who is abusive is to own the abuse and violence of individuals as a reflection of the conditions in which we all participate and operate. The more we can de-



**PLANNING ACCOUNTABILITY FOR PEOPLE WHO ABUSE**

Below are some of the questions involved in developing a plan around accountability.

**Intimate Networks:** extended family, family friends and relations, natural allies

- ▶ Who in the family, extended family, etc. is likely to defend, deny, or mobilize to protect the person who is abusing or who has abused?
- ▶ What are the dynamics of power at play in the intimate network of the person who is abusing or has abused?
- ▶ What power and influence does that person have over others?
- ▶ What risks are people taking to hold that person accountable?
- ▶ Who can be mobilized to support accountability and transformation?
- ▶ Who has influence over or with the person who is abusing?

**Community:** community reputation, institutions, roles

- ▶ What is the reputation of the person who is abusing in the community?
- ▶ How can this be leveraged for accountability?
- ▶ How may it be leveraged for denial and non-accountability?
- ▶ What are the dynamics of power at play in the community?
- ▶ What power and influence does the person who is abusing have over others?
- ▶ What risks are people taking to facilitate accountability (i.e. economic, reputation, housing, etc.)?
- ▶ Who can be mobilized by the Transformative Justice response within in the community to support accountability and transformation?

**Social Status and Power:** systemic privilege, positions of power, decision making power or influence, resources

- ▶ Does the person who is abusing or has abused hold any title or positions of power in the workplace, politically, or economically that can be used to deny or avoid accountability? For example, is the person a doctor, lawyer, police officer, politician, priest, or have “friends in high places?” Can this position also be used to support accountability and transformation?
- ▶ How may systemic privilege (i.e. gender, race, class, etc.) be used to avoid accountability?
- ▶ Who else does the person who is abusing or has abused have influence over because of their privilege?
- ▶ Who else could be mobilized to avoid accountability because of their privilege?
- ▶ Who can be mobilized in the workplace to support accountability and transformation?
- ▶ Who has to be involved in accountability?

**General:**

- ▶ In what ways could any of these things be mobilized to discredit, attack, or harm the survivor, allies and/or a commitment to a Transformative Justice response?
- ▶ Who or what else could the Transformative Justice collective mobilize to create relationships of accountability and support transformation?
- ▶ What can the Transformative Justice Collective do with people who abuse and who have not shown a commitment to any level of accountability?

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

## 2.2 Liberation

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

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

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

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

## 2.3 Shifting power

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

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

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

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

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

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

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

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

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

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

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

## 2.4 Safety

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

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

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

individually abusive people. It is important to widen the circle of accountability to include:

- ▶ Non-protective adults
- ▶ Bystanders
- ▶ Institutions responsible for the conditions that allow child sexual abuse to continue

Accountability is not about blame—there are many understandable reasons that people do not respond to blame. Our goal is to support people in being able and willing to act through providing the support, skills, awareness and safety for them to respond to and prevent violence. It is imperative not to replicate in our Transformative

Justice processes the same forms of oppression that the State uses to target people – sexism, homophobia, racism, class oppression, ableism.

These same dynamics of oppression run throughout our community and intimate networks and without consciously creating processes to name and transform them, we are likely to replicate them. In particular, mothers are usually penalized more than others for their failure to protect. It is clear that people, including mothers and including battered

mothers, have to be held accountable for their inaction and for complicity through support, compassion and making available the options that make effective response possible.

We can also expand the practice of accountability to include processes that hold community bystanders and specific institutions accountable for their complicity in acts of child sexual abuse. This complicity includes maintaining the conditions that perpetuate child sexual abuse. We must seek to provide the awareness, skills, and motivation for community members and institutions to respond in ways that have the

potential to respond in ways that have the potential to transform, rather than maintain, those conditions.

## Planning for accountability

A challenge facing the Collective is to come up with processes and practices of accountability that are meaningful to both the person who is abusive and to the survivor in terms of the changes they are intended to produce. It may be helpful to focus on what is available right now in terms of accountability (such as treatment models for people who are sexually abusive that work at the individual/psychological level) and then try to open up new ways to practice accountability beyond treatment, for example through social networks and relationships. Treatment programs for people who are abusive can be a resource for developing accountability and support processes. A critical role for the Collective is to identify and engage people who are most able, or who are in the best position, to intervene with people who are abusive.

With respect to all of this, the Collective must remember that any method of accountability must be flexible because of the range of issues and people involved and the changing dynamics of the situation being addressed. The Collective should also not lose sight of the limits of ensuring accountability. For example, there may be little it can do to prevent someone who is abusive from picking up and moving elsewhere.

## Broadening accountability

The social justice analysis on which Transformative Justice is based demands that the practice of accountability be broadened beyond

who side with them. Sanctions are then necessary both to demand accountability and also to protect the safety of those intervening with someone who is abusive. These sanctions might include public exposure of the person who is abusive, the removal of relationships that they care about, or telling their employer—anything that might coerce someone who is abusive into a relationship of accountability. It is then important to remove sanctions as the person demonstrates greater accountability but keep them available to leverage if it becomes necessary again. Collectives should prepare for a dynamic, non-linear process of moments of accountability and moments of denial or rejection of accountability.

*Use of Force:* In making a distinction between violence and the use of force, we use the “minimal” principle. As with coercion, we want to use the least amount of force necessary to stop abusive behavior and only when other methods are not effective. Unlike the retributive use of violence in response to violence, the intention of force is to stop harmful behavior and create safety for those who are being harmed. It is critical to be clear on the criteria for using force and the forms of force that can be used to stop the abuse. It is also important to identify who is using force in which situations. In creating alternatives to State violence, we must use force very selectively and with a clear intention and process.

*Resorting to public systems:* In thinking through the sanctions that are available to the Collective to deal with this situation, it is important to distinguish between an ideological commitment to transformative practices of accountability and abolition, and the practical acceptance of the current conditions that may make it necessary to leverage the State as a form of coercion in community-based justice processes. This may include using the State to remove people whose behavior is harmful to others and the community and who are unwilling to stop their abusive behavior or be accountable. In doing so, there is a danger of the Collective, and the broader community, becoming disengaged from the process of accountability by handing it over to the State. In situations in which the State

becomes engaged, the transformative practice will be for the community or Collective to stay engaged with the State response. This engagement involves working to minimize its impact on the survivors as well as on intimate and community networks, and to support the most transformative option for those who are abusive.

At the same time, it is helpful to distinguish between resorting to State power in order to imprison people and being willing to restrict people’s freedom in some way in order to hold them accountable for their behavior. In this regard, the principle of minimal coercion is critical. The Collective should explore options for pressure and coercion before it turns to the possibility of removal and resorts to the State. The level of coercion should reflect the level of concern.

### Elements of Accountability

Any accountability plan developed by the Collective is likely to include attention to:

- ▶ Relationship: Relationship is the basis of accountability but the most common responses to child sexual abuse involve isolation and the breaking of relationship. The person or people who are abusive have to be able to forgive themselves and offer genuine apologies to others in order to put themselves back in relationship with others – then ongoing accountability can begin.
- ▶ Reparations: The making of amends and the seeking of forgiveness are important practices of accountability.
- ▶ Standards: The group taking collective action needs to develop an ongoing plan and process with a set of collectively agreed standards (and sanctions). Having standards is a way to facilitate transparency and consistency – both of which are important to those who have been abused precisely because victimization is facilitated by secrecy and betrayal.
- ▶ Monitoring/review: Related to the two points above, one challenge for the Collective is to find ways to check, review, and monitor the plan made with the person that is abusive. This is a way of checking to see if standards are being met and to create a plan for responding if they have not.

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

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

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

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

### 2.6 Collective action

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

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

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

### 2.5 Accountability

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

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

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

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

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

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

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

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

## 2.7 Honoring diversity

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

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

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

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

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

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

holding accountable those who are currently sexually abusing children.

In this respect, it is important to remember the extreme diversity among people who sexually abuse children. There are many differences in their willingness, ability and actual practice of being accountable and committed to not re-offending. The Collective may face the significant challenge of deciding what leverage they have against someone who has sexually abused children and who refuses to be accountable for their behavior.

### The need for leverage

When the Collective is making a plan around accountability for someone who is abusive, it is essential to think in terms of leverage. This means looking for how influence and pressure can be brought to bear on the person to encourage accountability. For example, a person’s relationships or reputation may be leveraged to encourage a person to be accountable to the Transformative Justice process. Positions that are important to the person, their social status, economic position or credit status might also be leveraged. In creating a plan around accountability, the Collective will also identify to who the person or people that are abusive are accountable and the consequences for a lack of accountability.

The question for the Collective becomes: What are the different types of leverage that exist for different types of abusive behavior and different types of abusive people? In answering this question, even if one individual is the best person to leverage a conversation of accountability with a person that is abusive, the planning and follow up should be part of a collective process.

*Sanctions:* The issue of leverage also raises the question of sanctions: What do transformative practices of sanctioning look like when people avoid, violate, or manipulate the process of accountability? Our experience suggests that attempts to establish a process of accountability will often times provoke a backlash against the victims, survivors, and the Collective generated by the person or people that are abusive and those

abuse offer very few community or social supports to encourage this naming and accountability, and it is a part of the offending dynamic to blame and place responsibility on others. There is currently little incentive to acknowledge sexually abusive behavior to others and often little capacity to even acknowledge it to oneself. The Transformative Justice approach looks for means of promoting and supporting the accountability of those who are abusive; for them, being accountable is a way of holding on to their humanity and leaves room for them to change their behaviors.

### Supporting self-accountability

The Transformative Justice approach poses the question, “How do we support those who are abusive and work with their frequent desire not to re-offend?” As noted above, one key to this is humanizing people who sexually abuse children, thus allowing them to humanize themselves and to own enough of their actions, without collapsing in shame or armoring in denial, such that they can be accountable. Shame often prevents people from being able to truly face their behavior so that they can change it. Instead, shame usually just keeps people feeling paralyzed and unable to shift behavior and/or defending their behavior to get out of the feelings of shame.

True accountability depends on seeing the humanity of the abused that has been harmed and the humanity of the person who has done the harming – in other words, it depends on empathy. This empathy often needs to be matched with enough pressure to insist on accountability.

At the same time, it is important for the Collective to think through how best to prepare families, networks, and the broader community to be able to hear the disclosures of people who sexually abuse children. People will react differently based on their experiences and interests. One aspect of accountability planning will be to determine what can be done to make it safer for the disclosures of those who sexually abuse children. In relation to this, a further issue for the Collective to consider will be the role that can be played by those who have a history of sexually abusing children but have transformed their behavior. It is possible that they can help in



experiences of suffering and oppression as building a spiritual commitment to the liberation of self and others.

- ▶ Political consciousness and activism: Understanding what is happening to us and being able to put it into a larger social context can be deeply healing. Becoming a part of a collective effort to make change for both ourselves and the broader community builds resilience individually and collectively.

Appreciating this diversity of ways to heal means looking well beyond the Western, professionalized therapeutic process of healing. Ultimately, healing is about having choices and coming to a sense of choice that is undermined both by child sexual abuse itself and by the responses of public systems and communities.

### Focusing on resilience

Supporting people's healing is in part about building on their resilience. Generation FIVE sees resilience as the ability of a person or group to holistically respond to and renew themselves during and after traumatic experiences. In supporting healing after child sexual abuse, it is important for the Collective to make sure that resilience is consciously supported, not only in individuals but also, where possible, in the community as a whole. This gives people access to more resourcefulness and hope.

There are many ways that people can make meaning of trauma in order to promote resilience. The Collective can use these narratives to build collective resilience through memory, maintaining narratives that resist the erasing of their history, and building narratives that speak to survival and strength in the face of persecution and oppression. An example of this on a collective level is the passing on of the narrative of the Right of Return for Palestinian refugees whose families were displaced in 1948 during the founding of Israel. Even the third generation of children born into Palestinian refugee camps carries a narrative of their right to return to the village from which their family originated. Most of them have never visited the village; indeed, many of their parents have never visited or returned to their villages of origin. But they maintain a connection to their family histories and villages that is part of their collective resilience in the

face of the continued reality of their displacement.

On an individual level, we can support people in identifying the things that give them hope and inspiration, make them feel strong, and make them feel proud and allow them to trust themselves. An example of how we can support this might be to name the intelligence expressed in how someone survived or how the person negotiates safety in their life as a result of their history of trauma and/or oppression. We might also identify the ways that their safety strategies can be used in service of their current goals for themselves and their lives. Participation in organizing and collective action can be a critical part of resilience for individuals as well as communities. The visions that we have for a more just and sustainable world are part of the collective imagination that builds resilience and brings inspiration and courage to collective resistance.

### 3.8 Holding accountability

Accountability is central to any experience and practice of justice. Within a Transformative Justice approach, we are seeking forms of accountability that enable transformation – of survivor experience, sexually abusive behavior, bystander engagement and, more generally, the conditions that allow child sexual abuse to continue. Unlike other justice models that regard accountability as a tool of punishment (as in the criminal legal model) or reconciliation (as in some Restorative Justice models), the practice of accountability within the Transformative Justice model is in pursuit of the goal of transformation.

This raises the question of who decides what accountability should look like in pursuit of the goal of transformation. In the last 30 years, the movements to end domestic violence and sexual assault in the U.S. have stressed the centrality of survivors' voices and experiences in efforts to hold those who are abusive accountable. This emphasis has been critical in countering the silence that still surrounds such violence.

The vast majority of people who sexually abuse children deny their behavior and shirk accountability. Current responses to child sexual

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

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

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

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

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

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

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

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

### 2.8 Sustainability

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

## Section 3: Developing Transformative Justice Practices

### 3.1 Introduction

This section presents Generation FIVE's best thinking on the practices upon which a Transformative Justice model can be built. We firmly believe that the analysis, framework, principles, and practices of a political project can be developed only so far without a site of practice and application. The Transformative Justice analysis in this paper is informed by:

- ▶ The personal experiences of Generation FIVE staff, activists, Board, and allies;
- ▶ Our participation in developing strategic responses to incidents of child sexual abuse; and
- ▶ The experiences of our activist networks in implementing education and prevention campaigns.

This experience is reflected in the paper's emphasis on child sexual abuse within families and intimate relationships. Not only are these by far the most common forms of child sexual abuse; they are also the most hidden. While the challenges of applying Transformative Justice in cases of stranger molestation and trans-national sexual exploitation of children are not specifically addressed in this paper, we at Generation FIVE are clear that these are important areas of work that need further development.

The sequence in which the practices of Transformative Justice are presented is not intended to imply a linear set of steps. The sequence in which these practices are applied will depend on specific circumstances, but it is important that a Transformative Justice process touch upon them all.

Also, Generation Five believes that most situations will require cycling through these practices several times at various moments and to different depths. In implementing any of these practices, people will face a number of emotional challenges. So that we can better prepare to effectively respond to these challenges, they are discussed in more detail in Appendix C.

Practices of Transformative Justice include:

- ▶ Building a Collective
- ▶ Preparation and capacity building
- ▶ Naming and defining child sexual abuse
- ▶ Conducting assessment: level of concern, opportunity, and capacity
- ▶ Developing a safety strategy
- ▶ Supporting healing and resilience
- ▶ Holding accountability
- ▶ Working for community transformation
- ▶ Strengthening collective resistance

This document is not intended to be a "how to" manual for implementing a transformative approach to justice. At the time of publication, we at Generation FIVE have not yet been on the ground, piloting and evaluating Transformative Justice models. Instead, we have taken the time to study and evaluate existing models while preparing ourselves politically, emotionally, and organizationally to implement and sustain responses over time. Over the next five years, our goal is to evaluate our pilots and have replicable models and examples of intervention in incidents, political organizing, and campaign work.

### 3.2 Building a Collective

We believe responding to child sexual abuse effectively will require activating intimate and community networks to form a "Collective." A Collective would then be tasked with assessing the situation and developing a response rooted in and guided by the Transformative Justice principles discussed in Section 2. Ultimately, only groups can shift power relations. Therefore, in order to challenge the abuse of power in an incident of child sexual abuse, as well as the broader relations of power that the incident reflects, we want as broad and as unified a group as possible.

We use the term "Collective" rather than "community" in order to be clear that any group, however small, within a community can begin to

### 3.7 Supporting healing and resilience

Healing from child sexual abuse is about mending that which has been broken – the sense of self, safety, trust, agency and connection. Supporting the healing of those whom child sexual abuse has impacted is a critical element of the Transformative Justice approach. This includes not only the children who experience abuse. Often times other children and siblings witness the abuse or know it is happening. They may not be sexually abused themselves, but often show many of the same symptoms as those who are.

It is also important to consider the healing needs of adults close to the abuse in order to address the impacts of the abuse on them. They may feel the guilt or shame of not having protected the child. They may also feel that their own sense of trust has been betrayed by the person or people who are abusive. Beyond this, the Collective should consider what is needed in terms of healing at the level of the community.

It is important to think about the healing needs of people who sexually abuse children. Beyond being accountable for what they have done, most people who abuse are in need of a process of healing to enable them to make the changes they need to make in order to not perpetrate again. Giving attention to the healing needs of those who are abusive may appear inappropriate when there is so little in the way of healing available to those who have been abused. It is clear that much more needs to be done to support the healing of those who experience abuse.

Yet, looking for ways to break the isolation of people who are sexually abusive – to recognize and reach out to their humanity – is a critical aspect of the Transformative Justice approach because it challenges the dehumanization that is so central to systems of oppression.

Fundamentally, healing is about creating more choice—the choice to respond to present situations rather than react from our histories. For some survivors, healing may allow for a choice to disengage from intimate and community networks in which abuse took place and/or in

which the experience of sexual abuse is not validated. For other survivors, healing may allow for a choice to build a relationship with the person that was abusive and/or the intimate and community networks in which the abuse took place. For those who are abusive, healing can create the choice not to sexually abuse children and the possibility of choosing mutual, adult sexual and intimate relationships. For bystanders, healing their own histories of abuse may offer more choice to respond to and prevent abuse against others. For communities or people who share a collective history of trauma, healing may offer more choice about how to respond to current day experiences of oppression and/or how to act in solidarity with the current day liberation struggles of others.

The Transformative Justice approach emphasizes the need for healing on both an individual and collective level. Healing allows individuals, families, communities, and collectives to have more choice. This can contribute to a sense that it is possible to change their own lives and relationships and thus to change the conditions of oppression that create the violence in our lives. Similarly, participation in activism to change those conditions can provide us with a sense of hope and a reason to shift our own lives and relationships toward greater health.

#### Components of healing

Like safety, healing is not a destination but rather an ongoing process of mending as well as building power, resilience, and resistance to deal with ongoing oppression. There are many ways to heal. The facilitation of healing will emphasize:

- ▶ Relationship: Healing is tied to positive relationships and connection. The knowledge and validation by others of having survived is an important aspect of healing. Those who sexually abuse children are most likely to re-offend when they are isolated, which makes relationship very important for their accountability and the process of transformation.
- ▶ Spirituality: For many people spirituality (not necessarily religion) is a powerful component of healing. Spirituality can support people and communities in placing their experience in a much larger context that can support resilience. Spirituality has also been the basis for resistance and in understanding the role of

**DEVELOPING A SAFETY STRATEGY**

In order to develop a safety strategy, it is helpful to discuss the following types of questions.

**Survivor**

- ▶ Where is the victim/survivor safe and how is that person at risk based on the aspects of safety?
- ▶ Which aspects of safety need to be addressed immediately?
- ▶ Which over time?
- ▶ What will support resilience, agency, and safety?

**Other Children**

- ▶ Are other potential victims safe/at risk based on the aspects of safety? In what ways?
- ▶ Which aspects of safety need to be addressed immediately?
- ▶ Which over time?

**Bystanders**

- ▶ In what ways are bystanders safe/at risk based on the aspects of safety?
- ▶ Which aspects of safety need to be addressed immediately? Which over time?
- ▶ What will support the intimate network's resilience, positive involvement, change, and safety?

**Allies**

- ▶ In what ways are allies connected to this Transformative Justice organizing safe/at risk based on the safety factors?
- ▶ Which aspects of safety need to be addressed immediately? Which over time?
- ▶ What will support the allies' resilience, ongoing involvement, and collective power?

**People who abuse**

- ▶ Is the person who has abused (or are the people who have abused) likely to be targeted by a vigilante reaction physically, economically, emotionally, or through the criminal legal system?
- ▶ If so, which aspects of safety need to be addressed immediately? Over time?
- ▶ What will support their accountability and fundamental safety, while changing their behaviors and misuse of power?

**General**

- ▶ Who may collude with the violence or those who committed it?
- ▶ Might people organize against the survivor or Transformative Justice support team?
- ▶ If so, which aspects of safety are most at risk?

**Resources**

- ▶ What resources are needed that may not be available within this intimate network or community to help develop safety? (This could include: healing and support resources, housing and job resources, other economic support, free legal services, offender treatment, community organizing support and organizations, etc.)
- ▶ What organizations, community institutions, or people can be allied with to access these needs or help to meet them?

organize themselves to take action on child sexual abuse. Ideally, that Collective includes people with proximity to the incident and with relationship to, and influence on, those most impacted by the violence. The more someone understands the context in which the violence is occurring, the better able they will be to assess the situation effectively and have a positive impact on it. A group of such people becomes a Collective when it makes explicit its shared values and its shared commitment to transformative action on child sexual abuse. 'Outside' groups or organizations, such as Generation FIVE and others doing similar work, can play an important role in supporting and resourcing this kind of collective action within communities.

The ultimate goal is to increase the number of Collectives across any given community, sector or movement. The more Collectives that exist, the more Transformative Justice responses to child sexual abuse and other forms of violence might be popularized. The more popularity this response receives, the more possibility there is for transforming the State and the systemic conditions that allow violence to happen. See the box on the next page for some suggestions on forming and maintaining a Collective.

### 3.3 Preparation and capacity building

#### Current lack of capacity

Communities have very few models to use in developing alternatives to public system responses to child sexual abuse. The most familiar tools for dealing with child sexual abuse (i.e. mandated reporting and sex offender registries) are provided by the State. Even the most widely practiced 'alternative' model of justice, Restorative Justice, is mostly implemented in partnership with the State, often using the prison system as leverage to ensure compliance. Because there are so few alternatives for seeking justice, people are forced to rely on oppressive State systems and to bring such systems into their homes, communities and movements. Or, more often, we collude or tend to not respond in the face of child sexual abuse.

There are very few spaces and opportunities for groups of people within a community to come together to develop a viable alternative to public systems and to grapple with the challenges of creating safety for survivors, accountability for offenders and healing for all those who have been affected by child sexual abuse. Communities usually have limited resources available to help them identify suspected or alleged abuse, even in the rare case that there is a shared language and definition of what constitutes child sexual abuse. Nor do communities have ways to assess a situation of suspected or confirmed abuse and then come to decisions on what action to take. At the same time, informal assessment processes overseen by dominant groups within the community have a tendency to replicate silencing and collusion that reflect the same power inequities existing within the community and contributing to the occurrence of child sexual abuse.

Even if a community does have the capacity to assess and respond, and is committed to challenging the power inequities within any given community, most communities lack what they need to sustain intervention and prevention work. There is limited access to healing services for anyone involved, as well as to accountability processes for people who abuse, or provisions for the long-term support needed for transformation. There is limited access to safe housing for those being immediately harmed and/or for those who are abusive to relocate to while in the transformation process. Access is also limited to the variety of other resources which a given community might deem necessary to sustain intervention, allow for transformation, and identify and shift the conditions of injustice that allow child sexual abuse to happen.

#### Changing community conditions

The Transformative Justice approach focuses on changing community conditions as well as responding to specific incidents. But these very conditions can make it hard for people in communities to develop alternative, transformative responses to child sexual abuse. Communities targeted by State violence can face particular challenges. Many people inside

**SUGGESTIONS FOR FORMING AND MAINTAINING A COLLECTIVE**

Identify who is important to include in a Collective that is organizing an intervention or a campaign in response to incidences or conditions:

- ▶ Who is most closely connected to the incident or condition and shares a commitment to Transformative Justice politics and/or who might be moved towards those politics through an intervention/campaign process?
- ▶ Which relationships need to be leveraged? Who has or can build those relationships?
- ▶ What resources are necessary? Who has access to or can provide those resources?

Explicitly name the goals shared by the Collective:

- ▶ If the Collective is successful, what will the outcome be?
- ▶ How will the Collective measure its success? How will it account for set-backs and backlash?
- ▶ What are the shared principles and politics of the Collective?? What are any significant differences?
- ▶ How are those differences going to be addressed?
- ▶ How will the group check in to assure that the intervention or campaign continues to align with the politics and principles of the Collective?
- ▶ How will the group hold itself and one another accountable to the principles and politics?

Explicitly name the commitment of the whole as well as individual members of the Collective:

- ▶ To what kind of a process is the Collective committing? Immediate intervention (safety)? Longer term transformation, accountability and support?
- ▶ How long are individual members willing to engage? Initially? Overtime? What kind of hours per a week are people committing to?
- ▶ What roles are members willing and able to play? What is the time commitment of each of these roles?
- ▶ How do the timeline and commitments get reassessed as more information is revealed?

Clarify the process for members leaving and coming onto the Collective:

- ▶ How are members going to be invited? How are they going to be brought up to speed if not involved since the beginning?
- ▶ What is the process for asking a member to leave the group?
- ▶ What is the process for a member deciding to leave the group before the committed time period?

Create Collective agreements:

- ▶ To what level of confidentiality is the group committing?
- ▶ To what level of transparency within the Collective is the group committed?
- ▶ How are power dynamics going to be addressed within the Collective itself?
- ▶ How does the group give and receive feedback? Raise concerns about the Collective or individuals? How does the Collective reflect on its work?
- ▶ How do the Collective members provide safety and support for one another?
- ▶ How will the Collective prepare for targeting and backlash?
- ▶ What is the plan for sustainability of the intervention or campaign? For disbanding the Collective? For transitioning it into another formation towards sustainability?

**Planning for safety**

Any person or group that decides to take action about child sexual abuse faces the question of what coercion might be needed to increase safety in a particular situation. The “minimal” principle is essential. Only the minimal level of coercion needed should be used. Coercion might be needed when there is a breakdown in accountability or a raised level of concern about threats to safety. It is important to distinguish between coercion and aggression. In figuring out what form of coercion may be needed in order to secure safety, the Collective should:

- ▶ Acknowledge emotional responses to child sexual abuse, the impulses to attack the person or people that are accused of or identified as being sexually abusive
- ▶ Be clear that in taking action, the Collective is claiming an authority to make decisions and to act, and possibly exert coercion, in order to make change in a situation. Coercion may look like: leveraging relationships that the person that is abusive cares about, creating levels of exposure to challenge the reputation or status of the person that is abusive, threat of loss of employment, etc.
- ▶ Think about and discuss what this claiming of power and authority means, and look at people’s discomfort with power and issues of accountability in the exercise of power. Transformative Justice poses the question, “How does this claiming of power and possible use of coercion serve the needs of both individual and social justice?”

The Collective can put in place plans for safety but the challenge often is to maintain and review these plans over time. For example, changes will occur when people who have been accused of, confirmed as having perpetrated, or incarcerated for sexual abuse are offered entry or reentry into any given institution or community. It is at this moment that support and resources might be needed to maintain the safety of the community. At the same time, the safety of that person must be maintained during and after this reintegration or integration. Attempts at the reintegration of people who are sexually abusive into families, institutions, and communities cannot come at the expense of the safety of people who have been abused or others in the community.

*People who abuse:* When most people think of safety and child sexual abuse, they think of safety from those who are abusive. This often means removing the child from an unsafe situation (usually the family), which often causes further trauma to the child. There are experiments with other models in which the person who is abusive is removed from the home, but if they are the main income earner, they are allowed to continue to work.

Holding those who are abusive accountable is intended to secure safety, but only a compassionate accountability that challenges the dehumanization of people who sexually abuse children can create the conditions for longer-term safety. When people deny their own humanity as a result of shame, they often act in ways that confirm their lack of humanity.

We are committed to the safety of those who are abusive during any kind of process that is seeking justice. It is true that the demonization of people who sexually abuse children can mean that someone who is identified as (or alleged to be) an abuser may face many threats to their safety (physical, emotional, financial, etc). It is also true that most people who sexually abuse children hide behind walls of silence, denial, and collusion and create safety for themselves while victims/survivors often struggle to get even their basic safety needs met.

One of the decisions facing the Collective will be when to share what information with whom about an experience or history of child sexual abuse. Notifying others about someone who is sexually abusive can be a useful safety or accountability strategy. This is likely to include notifying those who may be at risk or who have a responsibility for children’s well-being.

This must be weighed against the consequences that might follow from naming someone as a person who is sexually abusing children without a process for ensuring safety, accountability, and support for that person to change their behavior and maintain relationships that will support transformation.



**How to assess?**

Assessment processes will look very different depending on the specific contexts and communities in which they are developed. But whatever the situation, it is important that a process of assessment does the following:

- ▶ Validates the experience of child victims and survivors.
- ▶ Begins to build a more collective process for gathering and discussing information and coming to decisions.
- ▶ Engages with the person or people who are sexually abusive rather than distancing from them.
- ▶ Thinks through issues of confidentiality for the survivor(s) and those who are sexually abusive or accused of sexual abuse.
- ▶ Thinks through how to deal with other cases of abuse that might surface during the assessment process.
- ▶ Prepares for the backlash which survivors, the person or people who are sexually abusive and the bystanders may be likely to face during this process of assessing child sexual abuse.
- ▶ Challenges gender inequalities and the dismissal of children's experiences that serve to deny child sexual abuse and allow the abuse to happen in the first place.
- ▶ Challenges racism, homophobia, class oppression, ableism, adultism that surfaces during the process.
- ▶ Develops clear criteria and a process for when, how, and why to engage with public systems.
- ▶ Takes the opportunity provided by the assessment process to also talk about the conditions that allow child sexual abuse to happen. This practice can be transformative in the way that it broadens the discussion of who/what is responsible for child sexual abuse and who/what needs to be held accountable. This keeps the longer-term goal of prevention present while addressing immediate needs and can be the beginning of broader organizing and public education.

**3.6 Developing a safety strategy**

A focus on the safety and resilience of those most directly impacted by child sexual abuse must be the first priority for action. It may be hard to meet immediate needs at the same time as building safety for the longer term but it is critical to avoid stopping after short-term safety is secured.

When using a Transformative Justice approach, it can be useful to think of safety not as a destination but in terms of a set of practices. In addition to practices for addressing the *short- and long-term* safety needs mentioned above, safety practices can operate at a number of *levels*: individual, network, community and movement. On these various levels, it is important for the Collective to make a plan for balancing the minimums of various *kinds* of safety, including:

- ▶ Physical safety (food, shelter, freedom from physical abuses)
- ▶ Sexual safety (security from further abuse now and into the future)
- ▶ Emotional/psychological safety (shaming, support from network, proactive stopping of community blaming)
- ▶ Political safety (freedom from deportation, sexist backlash, homophobic and racist attacks)
- ▶ Economic safety (access to economic resources)
- ▶ Public safety (the safety of the broader intimate and community networks from State, intimate and community violence)

**Whose safety?**

*Victim(s)/Survivor(s)*: The safety of children being abused must be prioritized.

*Bystanders*: Bystanders often collude with abuse out of fear. For example, a bystander may fear that exposing abuse will split the family, that they will become the target of someone that is abusive, or that they will lose the economic or emotional support of someone that is abusive. Towards engaging and maintaining bystander responsibility, we need to practically and emotionally address these fears.

community awareness and response in which it becomes more possible to:

- ▶ Discuss child sexual abuse within the community and the conditions that allow this abuse to continue;
- ▶ Develop mechanisms to support immediate and long-term safety;
- ▶ Identify the needs for resources that support survivor healing and broader family and community healing;
- ▶ Develop mechanisms of accountability for those who are violent, support for those who have the potential to abuse to be prevented from doing so, and on-going support and accountability for deeper transformation of the history and impulses that drive their abusive behavior;
- ▶ Provide education and training for bystanders to support their capacity to respond to and prevent child sexual abuse; and
- ▶ Build power within the community in order to identify and confront the internal and external conditions of that allow child sexual abuse and other forms of violence to continue.

There are many ways to begin laying these foundations; different approaches will be needed for different communities. Strengthening community capacity can involve cultural work, consciousness raising groups, education and organizing campaigns, violence intervention, and prevention work. These are often the foundations upon which community-based institutions and processes of justice – and the resources to sustain them – are built. Whatever form this work may take, this groundwork helps to cultivate a transformative response. Whatever the method chosen, there will be an important component of education in order to deepen understanding within communities about the dynamics of child sexual abuse. Such education is essential in order to take seriously and work through the realities of denial and collusion that almost always exist.

As we lay foundations by strengthening community capacity, it is important to build on the assets, strengths, and opportunities that already exist within different communities.

oppressed communities may feel that it is too dangerous to confront child sexual abuse happening within the community because they cannot afford to weaken the community in the face of the external attacks that they face. Immigrant communities may not see alternative justice models as viable when they constantly have to relate to the criminal legal system, for example as a result of the Patriot Act and the special registration and monitoring of their communities by Immigration and Customs Enforcement.

Some families and communities lacking other viable options may choose to engage the State. For example, African American women call the police to report domestic violence more often than other women.<sup>20</sup> But, they are also more likely to have their children taken away as a result of domestic violence (even as non-abusing parents) than other women. For other families and communities that can afford it, private therapy can be a way to avoid reporting once confronted and/or a resolution accepted by the State once reported. However, a decision to ignore the mandated reporting requirements of the public system response to child sexual abuse carries very different implications for different communities. Those with privilege and wealth are often exempted from State intervention and prosecution. Meanwhile, those families and communities already targeted in other ways may suffer the same discriminatory targeting around child sexual abuse whether they report or not.

Strengthening community capacity lays the foundations that enable communities to develop transformative responses to child sexual abuse. Such capacity is not necessarily a prerequisite for responding to incidents of abuse; indeed, such incidents will help trigger community capacity building. Irrespective of any specific incident, this community capacity building is important. It creates an environment in which historic or current incidents can surface and preparations can be made for beginning to address the conditions that allow child sexual abuse to continue. This involves laying the foundations of

<sup>20</sup> Websdale 1999

Existing models of healing and accountability within communities need to be identified and explored as the basis for a Transformative Justice response. Existing forms and practices of resilience and resistance need to be tapped and applied to the challenges of dealing with child sexual abuse in a transformative way.

This step of consciousness-raising, community capacity building, and beginning to gather and organize people within a community, sector, organization or movement to respond newly to child sexual abuse is vital. Careful assessment of the preparedness of specific communities and the implications for capacity building needs is also important. See the box below for some questions to use in assessing community capacity. We imagine this assessment being completed by a

#### QUESTIONS FOR ASSESSING “COMMUNITY” CAPACITY:

What kind of State targeting is the community currently experiencing? What kinds might it anticipate experiencing if it engages in Transformative Justice?

What are the relationships of power surrounding an incident or condition to which the Collective is organizing an intervention or campaign in response?

What power is likely to collude with the incident or condition? How quickly might this power be mobilized? Who is at risk if and when it does? Do we have the capacity to minimize the risk?

What power might be leveraged to challenge it? How quickly might this power be mobilized? Do we have the relationships to leverage this power? If not, how can we build those relationships?

What is the power that the Collective, which is organizing an intervention or campaign, trying to shift?

What are some of the shared values, practices, beliefs, and/or politics shared by the community? Where are there differences in the community?

What values, practices, beliefs, and/or politics is the Collective trying to challenge and what is the Collective trying to introduce or develop?

What resources may be necessary and what resources are available to initiate and then sustain an intervention or campaign?

Collective within that community, sector, organization or movement. This work is done in preparation for mobilizing a response, or identifying the preparation needed, for efforts at future prevention. In laying these foundations, it is essential to look toward a positive vision that not only responds to incidents of child sexual abuse but also actively works toward building a community of safety, healing, liberation, and justice.

### 3.4 Naming and defining child sexual abuse

The naming of child sexual abuse is a first step in taking action toward transformative responses and prevention. Recognizing and sharing experiences with child sexual abuse is essential for everyone involved: survivors, bystanders, people who are currently sexually abusing children, and people struggling with the possibility of doing so.

#### Steps to naming child sexual abuse

Despite its importance, naming child sexual abuse is usually extremely difficult. The typical reactions of public systems and communities, outlined in previous sections, offer few if any incentives for survivors, those who sexually abuse children, or people who are in relationship to someone impacted by child sexual abuse to disclose current or past abuse. Child sexual abuse is both minimized and demonized. This minimization and demonization silences people.

Oppressed and privileged communities face different obstacles to naming the child sexual abuse that happens within them. Identifying child sexual abuse requires exposure of the problem. Yet for the sake of internal solidarity, oppressed communities may be unwilling to expose their fault lines to the dominant culture. For privileged communities, the expectation of having privacy maintained and investment in an image of normalcy often prevent families from revealing their challenges.

It is also important to recognize that naming experiences of child sexual abuse, or concerns or suspicions about child sexual abuse, is often an extremely traumatic process. This is true for

community. In these situations, those involved in the assessment may still decide to move forward with addressing the conditions that allowed an incident to occur. For example, a Collective formed in response to abuse within a faith community (be it a church, synagogue or

mosque), may decide to educate the congregation about child sexual abuse and develop institutional policy and protocol for responding to future incidents of child sexual abuse, even if the opportunity for intervention has passed.

#### QUESTIONS TO ASK WHEN ASSESSING DANGER, CAPACITY AND OPPORTUNITY TOWARD ACTION

##### DANGER:

Danger can be assessed based on the following criteria:

- › Gravity of offence - what is the level of risk of physical, sexual, emotional, relational, economic, etc. harm?
- › Potential for further offending - what is the level of risk of continued targeting of the survivors, protective adults, and allies?
- › Capacity of person or people who are violent to mobilize defense, denial and collusion - what is the level of risk of collusion and active protection of those who are violent?
- › Potential for targeting those who are accused based on homophobia, racism, sexism, ability discrimination, class, and notions of deviance—what is the nature of the concerns being raised? Are those raising the concern able to name specific behavior or is the concern mostly in reference to general characteristics that are based on prejudice and oppression?

It may also be important to consider:

- › Levels of privilege
- › Access to and control over State power
- › Resistance to accountability and transformation

##### CAPACITY:

Capacity refers to the capacity of the Collective – its skills, availability, know-how and resources. Some good questions to use in assessing capacity include:

- › What are the capacities and skill sets of those currently concerned or involved to respond?
- › What is possible and what is not possible based on our capacities and skill sets?
- › What is our ability to stay involved over time? Can we sustain action over time, or can we mobilize others for whom engagement is possible over time?
- › What are the resources and relationships available to us? What resources and relationships can we mobilize over time?

##### OPPORTUNITY:

Opportunity refers to the window of opportunity that the Collective has to respond. Some good questions to use in assessing opportunity include:

- › Is there a window of time within which it is necessary to act?
- › If we miss this opportunity will another arise in the near future?
- › If we take this opportunity in the short term, what are the long-term consequences and how can we prepare for them?
- › If we do not take this opportunity, what are the consequences?

teller, the truth is usually hard to bear for all concerned. Submitting the “truth” as a form of evidence can potentially lead to the administration of retributive justice. However, telling the truth of one’s experience to people committed to a transformative justice process can hold other kinds of potential. Truth-telling can be central to a process of healing, accountability, and transformation for the individual speaking, the intimate and community network in which it’s being spoken, and for the person who has caused the suffering.

### Why assess?

Moving too quickly from identifying child sexual abuse to responding to child sexual abuse can be dangerous. A process of assessment provides time and space for those involved to start to talk together and make decisions together. This is said despite the fact that there are times when an immediate response is necessary to reduce harm and create safety. However, an assessment of the type and level of concern, opportunities available, and group capacity can help people make better decisions about what actions to take. It’s about slowing down in the chaos. A process of assessment is important because:

- ▶ It provides time and space for all involved to come to a joint decision about how to respond in ways that are transformative rather than reactive. It provides time to determine how to respond out of our commitments to social justice rather than our emotional reactions to abuse, violence and violation.
- ▶ It can reduce the likelihood of a vigilante response and can help to expose the political interests inherent in maintaining current arrangements of power that are often served by vigilante justice.
- ▶ It seeks to respect and promote the rights of victims and survivors as well as those who have sexually abused children as well as those against whom allegations of perpetration have been made.
- ▶ It allows for the consideration of potential tensions or conflicts of interest between the survivor(s) and the collective Transformative Justice process.

### What to assess?

Actions are based on an assessment of danger, capacity and opportunity. The criminal legal system ranks the danger of people who abuse by Level I, II and III. The levels pertain to the frequency of abuse, severity of violence and abuse, and the likelihood to re-offend. In the criminal legal system, these labels are used to determine sentences. Applying this information to a Transformative Justice approach, this information could be used to gauge community concern and develop a plan for intervention and accountability for the person who is abusing that aligns with that level of concern.

Assessing the level of concern is critical for identifying immediate actions and the possibility of needing to create an emergency safety plan. Toward developing a plan for longer-term action, we also want to assess the opportunities available for action as well as our capacity to sustain action while being responsive to changes in the situation and in the community context. Within a Transformative Justice approach, we are looking for opportunities not only to address current experiences of abuse, but also for addressing historical experiences of abuse that might be revealed in the process. In addition we are looking for opportunities to prevent future abuses through shifting conditions away from those that allow abuse to occur to those which promote individual, family, and community wellness and equity.

Sometimes we will have the opportunity to address all of these issues. At other times, it is possible that we might only address one with the hope of being able to address other pieces later as other opportunities become available or greater capacity is developed. For example, we may assess that there is not enough concern to develop an intervention. Nonetheless, we may identify an opportunity to engage those involved in the situation of concern to find out more about what is happening. It may be possible to respond to the concern even if the situation does not require immediate intervention. On the other hand, there may be situations in which there is not enough capacity to respond well to an incident or the person who is abusive leaves the

survivors, as it can be for those who are sexually abusive, for bystanders, and for the social networks to which they all belong.

When done in ways that are culturally insensitive, particularly by people outside of the community, disclosing child sexual abuse can reinforce silence, create greater unsafety, prevent the possibility of transformation, and, at worst, reinforce the conditions that allow it to occur. An important aspect of the Transformative Justice approach to child sexual abuse is to address these barriers to naming by creating an environment in which people are more willing and able to disclose. Identifying people and supporting them to speak about their own and other’s experiences in a way that is culturally relevant can reduce isolation and respect safety. This can in turn promote a broader and more open conversation about definitions of and responses to child sexual abuse.

This involves creating spaces and encouragement for child victims, adult survivors and people who are currently sexually abusing children to disclose their past and present experiences of child sexual abuse. Disclosure by people who abuse is a form of accountability that will only happen if backlash (in the form of punishment or hostility) is not the first and only response. This disclosure can also be the start of a healing process that can contribute toward prevention of child sexual abuse. Disclosure can begin a process of healing for victims and survivors by breaking not only the personal but also the social silence about their experience. It is also vital to create spaces and encouragement for those people who feel they might sexually abuse children in the future to be able to share their concerns about potential acts of child sexual abuse. This is an important part of building a broader sense and practice of accountability.

For those who have experienced child sexual abuse, naming those experiences often leads to further trauma through denial, blame, family break-up, isolation, and so on. It is important that such naming begins the process of healing by breaking not only the personal but also the social silence about the abuse. The Collective should take the opportunity provided by these

expressions of concerns and disclosures of experience to talk about the conditions that allow child sexual abuse to happen. Naming child sexual abuse is also about making these conditions visible. This practice can be transformative in the way that it broadens the discussion of who/what is responsible for child sexual abuse and who/what should be held accountable. In this way, the longer-term goal of prevention does not get lost. At the same time, it is helpful to link expressions of concern and/or the naming of experience to processes for assessing these concerns and experiences in terms of how best to respond.

In addition, bystanders need to be encouraged to name their concerns about actual or potential acts of child sexual abuse. Bystanders can play a role in identifying abusive dynamics and relationships, without reaffirming oppressive stereotypes and attitudes. In educating bystanders about their role in naming child sexual abuse, it is essential to emphasize that abusive behavior, rather than the person doing the behavior, is the focus of concern. Care must be taken not to demonize the person suspected of sexual abuse. It is also helpful to look at signs and identification markers of abuse, framing these not as deviant but as indicative of other kinds of domination, control, violence and violation expressed across any given community or society. Again, the emphasis must always be to remind people of the frequency of child sexual abuse and the conditions of oppression that produce specific acts. Acknowledging child sexual abuse as common diffuses some of the stigma that keeps people from speaking about it.

Increasing people’s acceptance of and reducing the taboos against bystanders naming a concern about child sexual abuse is also a form of capacity building. This includes being able to speak about the dynamics between any given child or children and any given adult(s) and/or the behavior of either that might indicate sexual abuse or other kinds of abuse, violence or exploitation. This becomes easier when there are more incentives. Incentives might be options outside of State targeting and intervention, resources to support

the impact of disclosure, mechanisms for safety, accountability and healing, etc.

### Managing the risks of disclosure

When encouraging disclosure, it is essential to prioritize the safety of child victims in ways that prevent exposure to further abuse while helping victims to heal. This will involve paying attention to the importance of maintaining relationships of trust with safe adults in the child's life as well as to managing the relationship between the survivor(s) and the person or people that sexually abused them. This also means putting in place protections from backlash. Survivors, those who are sexually abusive and those who are in relationship with either or both, may likely face such backlash during any process of identifying child sexual abuse. Preventing backlash involves creating a thoughtful process for public naming and disclosure, which include considering issues of confidentiality.

### Relationship to public systems

Negotiating the potential relationship to public systems is a critical aspect of the Collective's work on naming child sexual abuse. It is helpful to be clear about the choices facing the Collective and have criteria for determining which choices to make in which situation, namely:

- ▶ Using a Transformative Justice approach – making this choice involves being clear about the possibilities and risks and planning for potential State responses, as well as being prepared to make a different choice given new information or a changing situation.
- ▶ Leveraging the public system as a mechanism of coercion for someone who is unaccountable for their sexually abusive behavior – making this choice involves developing criteria for when to use the threat as well as when to act upon it.
- ▶ Engaging the system – making this choice involves making a plan to deal with what that entails, including a commitment towards continuing to work outside of the system towards healing, transformation and accountability while addressing the conditions that allow for child sexual abuse.

Confronting these choices and discussing them openly is a moment of politicization; it creates space for people to say, "I am going to do

it differently and not use the system." If this is the choice, then it may involve taking the collective decision to engage in what may be civil disobedience by not fulfilling mandated reporting requirements. This requires preparation in the form of political, legal, and media support in case of targeting.

When taking this decision, it is important to be clear about politics, vision and hope while letting people know they have a choice. The different paths and risks that are opened up by engaging or not engaging with the State system need to be explained and assessed. It is also necessary to assess the different consequences for different communities, families, situations and the level of concern about immediate harm. The Collective should discuss the consequences of reporting and not reporting and frame this in terms of preparedness for dealing with either set of consequences. Many times people will see the system as a last resort when community-based justice approaches are not successful in moving people from collusion to response. However, people should also be prepared for collusion with violence by the State. Examples of this are the numerous cases of child sexual abuse against the Catholic Church that went to the State but could not be submitted as evidence due to statutory limits. In these cases, survivors were pressured to settle out of court.

### Defining child sexual abuse

The process of naming can open a conversation about defining what child sexual abuse is to that community. In opening up this conversation, it is important for the Collective to balance cultural and community relevance with clear lines about which behaviors are abusive and not acceptable. This is not an either/or but finding a process within the cultural context that names and confronts collusion with abusive behavior. Creating a collective definition of child sexual abuse can itself be a transformative process. Coming together to collectively define child sexual abuse creates the opportunity to challenge and transform harmful norms. This is because defining child sexual abuse requires an exploration of shared understandings of sexuality, abuse, age of consent, and notions of

childhood. These conversations are not only important in setting community standards but also in shifting conditions that allow for child sexual abuse towards those that promote safety and empowerment for children and youth.

At the same time, the Collective must recognize that processes of jointly defining child sexual abuse take place in the confusing context of widespread denial and panic about child sexual abuse. While the pervasive reality of child sexual abuse within families and social networks is routinely denied, the sexually predatory stranger is a significant figure in the social imagination. Having a conversation about child sexual abuse that provides definitions that reflect the reality of its presence in intimate and community networks requires finding a way through this confusion, fear, and denial.

In order to be transformative, the collective process of defining child sexual abuse should:

- ▶ Articulate the values and practices that will support healthy child development, age-appropriate children and young people's self-determination, children and young people's sexual development.
- ▶ Frame the responsibility of adults to ensure the safety of children in terms of their rights and self-determination not merely the "best interests" of the child.
- ▶ Name the experiences of adult survivors as well as child victims, the accountability of those who are or have the potential to be sexually abusive, and bystanders.
- ▶ Define child sexual abuse in the context of intersecting forms of oppression and be accountable to movements working against violence and for social justice.

### 3.5 Conducting assessment: Level of concern, opportunity, and capacity

Anyone seeking to apply a Transformative Justice response to an incident of child sexual abuse must assess the appropriate level of concern for the people and community involved. Additionally, it is important to assess both the opportunities for transformative engagement that are available and the capacity to respond to the

concern and opportunities that have been identified. Such an assessment will guide decisions on further appropriate action.

### The challenges of assessment

The public system response to child sexual abuse is dominated by verification procedures that gather and then test evidence that can prove allegations of child sexual abuse according to the standards set by the system. Assessing concern is a departure from the criminal legal paradigm, whose emphasis is on trying to prove an individual "truth" and assign blame and punishment based on specific forms of evidence.

There are many reasons why it may be difficult to get at the "truth". In addition to collusion, denial and trauma, the evidence needed to "prove" sexual abuse may not exist by the time of disclosure. The most glaring problems relate to the burden of proof that the system puts on the child. This is done in a context in which the child is by definition disempowered and traumatized. The most common forms of child sexual abuse (within families) are denied or minimized and the child and adult survivors' accounts of their abuse are routinely disbelieved.

Once children experience a negative reaction to their disclosure and/or realize the implications for their intimate and community networks, they will often revoke their disclosures. The implications of disclosure vary across 'race' and class. Children from families with power and privilege often escape system attention and are often left without any intervention or support around their experiences of child sexual abuse. Children from families without access to resources and influence suffer most from the oppressive effects of the system. Neither outcome provides children with an experience of speaking their truth, having it validated, and having that truth create greater safety and non-violence for them and for those that they care about.

In this context of silence, denial and collusion, it is important to be clear about the purpose and process of finding evidence that justifies intervention. Disclosure of child sexual abuse may take a long time and require safety, support, and preparation. In addition to the challenges for the