



Transformative Justice

Highlighting the Work of Mia Mingus

Transformative Justice:

Currently, systems of justice in North America are part of larger colonial structures which have historically allowed the law to be used in ways that privilege some and oppress others.

Transformative justice is a socio-political framework which seeks to dismantle these structures along with the violence and harm they produce.

According to the writing of Mia Mingus, transformative justice is, at a foundational level, a form of harm reduction focused on "making things right," and approaching justice from a standpoint of collective engagement, as opposed to punitive state tactics.

"How can we respond to violence in ways that not only address the current incident, but also help to transform the conditions that allowed for it to happen?"

- Mia Mingus

A key component of **Transformative Justice** is to get to the root of violence within society by dismantling the structural conditions that facilitate it.

The effects of capitalism, patriarchy, heterosexism, and white supremacy have permeated every aspect of both public and private life. The ideologies behind these structures not only maintain asymmetries of power, but create and perpetuate forms of oppression.

Under the oppressive social and political pressures of this framework, issues such as trauma, poverty, mass incarceration, displacement, sexual assault, and xenophobia are exacerbated in many people's lives.

Some people belong to communities which have historically suffered marginalization, surveillance, and persecution at the hands of state law enforcement.

Black, Indigenous, and other persons of color (BIPOC), low-income, immigrant, disabled, trans, and queer individuals often *cannot* rely on police for fear of harassment, violence, or other punitive measures. As a result of necessity, within many of these communities, the concept of **Transformative Justice** has been a dynamic practice for generations.



In the words of **Mia Mingus**, as a large and self-reflective framework, **Transformative Justice interventions** are driven by questions such as:

"What do survivors and people who have caused harm need?"

"Why do survivors and people who have caused harm have so few options in our community?"

"What are the skills we need to be able to prevent, respond to, heal from, and take accountability for harmful, violent and abusive behaviours?"

"What are some of the harmful ways that we treat each other that help set the stage for violence and abuse, and how can we change this?"

Transformative Justice calls for more than abolishing prisons and removing the state and its interventions

The true transformative potential within our communities begins with us "reconfiguring our interpersonal relationships" at the individual level. This involves all members of community working in dynamic ways to prioritize wellbeing and the building of environments of:



Transparency



Safety



Sustainability



Accountability



Connection

Transformative Justice in Practice:

Holds those who cause harm accountable by recognizing their responsibility to make amends and change their behaviour

Provides a place of safety and healing

Empowers community members to handle and prevent violence by building their skills in communication, conflict resolution, anger management, and de-escalation techniques

Makes resources available for the community to collectively learn and heal from harm and rectify any structural complicity

These active strategies create:

"The presence of the values, practices, relation and world that we want."

- Mia Mingus

Transformative Justice Seeks:



Solutions outside of the 'formal' criminal legal system, prisons, and state institutions such as the police or the foster care system.



To avoid internalizing state practices such as blame, shame, isolation, revenge, or vigilantism which only leads to the perpetuation of violence.



To replace those negative behaviours with beneficial ones which promote safety, accountability, healing, and resilience for all parties.

REFERENCES

Mingus, Mia. ["Transformative Justice: A Brief Description," *Leaving Evidence* (January 2019)

<https://leavingevidence.wordpress.com/2019/01/09/transformative-justice-a-brief-description/>