Abolition Infrastructures

A Conversation on Transformative Justice with Rachel Herzing and Dean Spade

Bench Ansfield

Over the past two decades, transformative justice has gained momentum as an organized effort to answer contemporary abolitionism's thorniest question: How can a society handle the problem of harm without resorting to punishment? The movement has sought to develop responses to harm and violence that reject retribution and instead emphasize accountability, repair, care, and attention to the systemic roots of violence. If, as Ruth Wilson Gilmore insists, "abolition is presence, not absence," transformative justice (TJ) is an infrastructure project for the abolitionist age.[1] Its practitioners draw blueprints for a world in which justice operates as care work and safety means the absence of hierarchy.

Blueprint or no, the construction of abolition infrastructures has proceeded in a makeshift, prefigurative, and speculative style. While many of its methods have long been practiced by Indigenous communities, TJ as a social movement was born in the early 2000s at the confluence of the renewed anti-prison movement and women of color organizing against violence. The decades since have seen an efflorescence of all forms of abolitionist organization across North America and beyond. And in the wake of the 2020 global uprising, transformative justice concepts have percolated into the public sphere in increasingly potent ways.

In large part because the movement took form in explicit rejection of the state's administration of justice, the work of TJ has most frequently been done on

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an unpaid basis of mutual aid. That this work nearly always happens outside of the confines of the state and capital—and even the 501(c)(3) structure, in most cases—has been one of its defining attributes. Here's a movement that has germinated in collective homes, borrowed office spaces, online forums, activist convenings, and parks—in other words, in the abolitionist commons.

As transformative justice has gained currency over the course of the pandemic, its ideas have been taken up in new realms, including the university, the nonprofit, the prison, and the courts. The current moment is ripe for taking stock of where the movement is now and where it is going. What does it look like to build toward abolition infrastructures or infrastructures of collective care? How might an abolitionist theory of the state guide this work?

Who better to unpack these questions than Rachel Herzing and Dean Spade, key architects and builders of the contemporary abolition movement, each of whom bring decades of study and struggle to this work. Herzing is a cofounder of the abolitionist organization Critical Resistance and was a longtime organizer with Creative Interventions and its Storytelling and Organizing Project, which have helped build the scaffolding for the transformative justice movement. She is the coauthor of *How to Abolish Prisons: Lessons from the Movement against Imprisonment* (2023). Spade founded the Sylvia Rivera Law Project, helped organize the Building Accountable Communities Project at the Barnard Center for Research on Women, and is the author of *Mutual Aid: Building Solidarity during this Crisis (and the Next)* (2020).

Bench Ansfield spoke to Herzing and Spade in a wide-ranging conversation about the horizons of abolition in this moment of institutionalization.

Bench Ansfield: *Infrastructure is not typically used as a framework for thinking through transformative justice and abolition in the current moment. I want to begin by asking whether you imagine abolition or transformative justice as infrastructure-building projects. Does this framing hold any resonance for you?*

Rachel Herzing: I don't imagine prison industrial complex (PIC) abolition as a container that's already full of a bunch of stuff. I think of it more as a way of doing things. And with that in mind, I think that there's a way of applying these politics that requires us to build some things as we go, things that don't exist now. And we build them as a way of making the politics practical, of applying the politics to the real world that we live in, and of creating some of the things that we need for those politics to have staying power. So my answer is *probably* in the case of prison industrial complex abolition, and in the case of transformative justice (TJ), I think the answer is more or less the same, though I want to note that abolition and transformative justice are not interchangeable. I think about prison industrial complex abolition as a

political praxis and transformative justice as a framework or methodology. And though there are obvious connections between them, I don't think they must be attached to each other, even if they might work well together.

I think that there are certain kinds of things we need to develop or build up in order for that practice—the practice of transformative justice or community accountability—to have the desired effect that we want it to have. As you say, Bench, infrastructure might not be the most natural language for this, but what I'm thinking of is—we need to build some things up to make those practices work well. And those things might be skills, or confidence, or relationships, as much as they are an organization, tool kit, or press release.

Dean Spade: Yes, so much of abolition work is about dismantling infrastructure—stopping the expansion of police stations, courts, jails, databases, or getting them closed. We have seen in the #DefundthePolice efforts how our city councils have this autopilot capacity to endlessly give the cops money, and this same relentless expansion happens at the state and federal levels. We've been told these things will keep us safe, and they don't. They're violent, and they make our lives worse. So the question becomes What *does* make people safer?

I really appreciate what you said, Rachel, about skills. Transformative justice includes a lot of skill building. Many TJ projects are about supporting people to have new relationship skills, more skills for dealing with conflict and finding repair together, more skills for facilitating conversations in groups and communities and making decisions in groups that include everyone's needs and values instead of structuring decision-making through hierarchy and domination.

We need new skills to depart from a system for solving conflict based on a centralized authority that determines who is good and bad. We want to build a decentralized approach to solving conflicts focused on recognizing that everyone is worthy of care and that no one is disposable. What if we all had more skills to solve problems in our communities? Endemic problems like child sexual abuse or sexual assault, gender-based violence—those harms are not going to be solved by a central authority, particularly since the authorities are primary sources of that violence. They'll only be addressed by a multiplicity of localized practices for addressing and preventing harm, which together transform our society. We're talking about undoing that type of brutal authority to hurt and cage and kill. And so I do think it is infrastructure. It is particularly about building complex, flexible, responsive, decentralized infrastructure. This also means, in the world we imagine, having basic infrastructure like housing, childcare, health care, and food for everyone, not based in profit or domination. The prison and policing systems exist to maintain extraction and profit, so when we imagine abolishing them, we are also imagining a new way of life where we all have what we need and no one can hoard it and control us with it.

RH: I take your point, Dean, and I think that though prison industrial complex abolition involves a lot of prison and jail fighting, the targets of TJ also revolve around the locus of the courtroom or the family services building.

The other thing I want to raise is that I want to problematize the idea that—and I'm not suggesting you are saying this necessarily, Dean—but I think when you were talking, this came up for me as a thing that troubles me a little bit, and I haven't exactly figured out how to work it out. So I will rely on the two of you to help me do that. Part of the reason that I made a point of separating transformative justice from prison industrial complex abolition is I think that there's this idea that, when they get mashed together like that, the implication is that the aim of the prison industrial complex really is to fight harm and curb violence. And it's not. That's not its function.

So, when we allow ourselves to be lured into thinking, "well, we have to figure out how to deal with conflict and harm to solve for the prison industrial complex," we're painting ourselves into a corner that we need not paint ourselves into. And I think if we focus on the containment and control aspects of the prison industrial complex, and we really see it for what it is, then we don't get tricked into claiming to fulfill the same social function as the prison industrial complex.

DS: What I've often seen in the local debates about defunding the police, or closing a particular prison or jail is that the opposition will argue that we can't get rid of that jail, or we can't reduce the police budget until you tell us *all* the ways you're going to solve *all* violence.

But we're going to solve violence first and foremost by getting rid of cops and jails because they are a central source of many forms of violence. They are violence. What your point about painting ourselves into a corner made me think of is this really absurd notion that we would have to resolve all violence before broaching abolition. And of course, it would be impossible to resolve violence while the punishment system is in place since *it is violence*.

RH: But I think we get tricked into responding to that, right? I think that's part of what you're raising, Dean. Violence, the management of violence, is a minuscule sliver of what the prison industrial complex takes charge of. Really, it's about managing bodies. Really, it's about legitimacy. Really, it's about suppressing dissent. Really, it's about managing poverty. It has nothing whatsoever to do with violence. And when we take the bait of having to solve for violence, then we cede a lot of terrain to that system.

BA: *To put it into infrastructural terms, what I hear you saying is that we're trying to dismantle the existing system without rebuilding right on top of it. In other words, the task of transformative justice is not to build a new building in the ashes of the complex that we're trying to burn down. As many folks have said, we need to be wary of framing transformative justice as the alternative to the PIC.*[2]

This is where I find infrastructure to be useful. The spark for this conversation was actually something you said in 2019, Rachel. This was years ago, so I won't hold you to it, but what I have down in my notes is something like "We don't need a bunch of neighbor-run centers; what we need is infrastructure." And I think this relates to what you both are saying, especially when we think about transformative justice as being about skill building, which translates into capacity building, which itself can be understood as infrastructure building.

In preparing for this, I was reading The Promise of Infrastructure, *and the introduction describes infrastructure as always bridging between different locations—its work is bridge work.*[3] *So whether we're talking about early aqueducts, or the sewage system, or telephone wires, or the internet, the work of infrastructure is to bridge disparate places. And I was trying to think through what that means for transformative justice.*

What is transformative justice bridging? One possible answer is that it bridges between our uninhabitable present and a possible abolitionist future. Our task is to figure out how to build that bridge with a lot of on-ramps for the abolition-curious without it essentially becoming another tollway in the US highway system. We're trying to figure out how to build this thing and generate momentum without guiding ourselves directly into co-optation.

To phrase this as a question, could you share what you see as the where of transformative justice right now? Where do you see it? With Philly Stands Up, which is the version of it that I know best, we had no offices.[4] *We met in each other's homes. When we were doing accountability processes, we met in the train station, Philly's 30th Street Station, because it was free, it was big, it was always climate controlled. And there was enough space that you could be relatively anonymous. Now that TJ is on the cusp of being institutionalized or taken up inside these different spheres—where it gets confusing for me is I don't know what to imagine as the where of TJ. What do you picture?*

DS: What those of us fighting jails and prisons and police always have to say to our opponents is that the things they think are crime or violence would mostly go away if people just had what they need. So part of the infrastructure that abolitionists or TJ practitioners imagine is just everyone having what they need. Here in Seattle, we have the Seattle Municipal Court, and its job is just to process very poor and unhoused people for things that the city thinks are crimes like peeing outside, sleeping outside—things that happen only because you don't have what you need. So a giant infrastructure question for TJ actually is basic needs—the transportation system, the housing system, childcare, food. It's horrifying that our cities spend half their budgets on policing and courts and jails while people don't have basic needs met. This is also central to conversations about specific kinds of violence. When we ask what trans people who are attacked on the street want and need, our opponents

relentlessly suggest police training, and we say that housing is what would make trans people safer. Our opponents want to make our experiences of violence into opportunities to expand police, either justified by punishment or indefensible ideas that police, if properly trained and equipped, would prevent violence. We say stop building the infrastructure of punishment, and let's get people's basic needs met. That will increase safety.

This is part of bridging the uninhabitable present to new social relations—social relations in which people have what they need. When I've taught about abolition and transformative justice, for some students it's really new, and they'll write a paper about how they want to create a transformative justice police force. They'll literally make the same thing again with a new label. This same kind of thinking is present when some people advocate for social workers to replace cops.[5] Let's just have a new set of cops wearing a different outfit. That move makes so much sense because it's really hard to think in a new way. And people want to be able to call something like 911. There's so many gaps in terms of basic necessities, and in terms of relationships, it's really hard for people to picture other ways of solving problems, or to imagine life outside of the fear and isolation that predominate. Even people who hate what the cops are doing feel they don't know what to do about bad things that are happening in their community. This is a very important conversation that is widespread right now, and much needed if people are going to have a chance to imagine beyond the uninhabitable present so that we can create new ways of being together.

I just had this really juicy conversation with Shira Hassan.[6] One of the things we were talking about was that for people who are isolated, such as people who are currently experiencing domestic violence, or who just came to the US, something like 911 is helpful. Something that's very widely known, that is very visible, that's separate from your living situation, that you might know about even if you don't know anyone. But the downside is that most often, the best way to solve conflict and violence is something that draws on community members who know what is going on and have skills for intervening, who stick around, who care about the people involved in the conflict. Community-based interventions are more likely to get the harm to stop. And for very good reasons, people experiencing harm are more likely to reach out to people they know than to strangers like cops or Title IX officers on campus. And community-based interventions are more likely to really address what is going on than a one-size-fits-none punishment response.

So there are questions about the costs and benefits of building new response infrastructure that's more decentralized. What's the danger of people not knowing about it if they are isolated? Or what's the danger of having bigger, more centralized structures and then replicating some of the current dynamics where people are pretty deskilled and just looking for an outside source to deal with conflict, and

where those showing up to a scene of harm or violence don't have context or relationships with the people involved?

We need people experimenting a lot to try to figure out what can work. People have always been solving problems in whatever ways we can, because we've always had to, but people are experimenting more and more right now because of the increased call to end cops and prisons and build real solutions. Groups like Interrupting Criminalization are providing a lot of support to people working on these very local experiments.[7]

I was particularly inspired learning about the Confess Project.[8] The Confess Project trains people to support each other's mental health in barbershops and beauty shops—because you're already going to that place—and then you can have someone to talk to who's got some active listening skills and can identify if you need some more intensive support. That's a really different model, where it's brought to you at your barbershop or beauty shop, than a model that's a hotline that anyone in a neighborhood or in a city can call. It's more about disbursing skills to where people need them, and ideally it could grow and prevent a lot of people from reaching a crisis where they needed to call a hotline. But for now most people do not have access to mental health support so many things escalate to crisis.

TJ work ideally happens everywhere. Ideally everyone gains more skills for conflict prevention, giving and receiving feedback, supporting people in crisis, and intervening in harm. TJ is also specific projects that help people in particular situations or communities with particular kinds of crisis. We don't need a one-size-fits-all approach to TJ. But what we do need is a shared assessment of what we're definitely not doing, like policing or imprisonment.

I think that's hard for a lot of people who are new to the analysis, who just want something that maps exactly onto the existing criminal punishment system, which wants us to be as passive as possible and not solve our own problems with each other—something that doesn't require more connection or new skills. It's a tall order to actually know our neighbors, to care about each other, to get better at having hard conversations. Some people don't believe that's possible if they've just heard of it for the first time, and they're accustomed to living in a society where most people are isolated and afraid. There's a lot of growth involved in even trying to imagine these other ways of being. Though I think we all actually do have a lot of practice doing these things in spaces where punishment and exile aren't the only ways to solve problems.

RH: Damn, Dean. You said a mouthful, and now I have a million thoughts going through my head. Where I'll start is—I'm going to stand by what I said in 2019. Bench, I do think that we need an infrastructure for TJ. Dean just spoke to that really well in a bunch of different ways, and you just spoke to that with the example of Philly Stands Up.

There's a mode of thinking around the abolition of the prison industrial complex that says that we have to have all of the what-ifs figured out first, and the what-ifs generally concern crime stopping, or so-called crime stopping. As we've said, many people take the bait. And we feel like we have to answer these questions. "What are you going to do with the litany of things that I'm just making up now that have never happened to me or anybody I know, but TV and movies tell me I should be afraid of them?" This is not to say that there's not real stuff out there, that stuff doesn't happen to people. Harm has happened to me, harm has happened to every last person that I know, so I would never suggest otherwise. But I do think it's a trap to presume that we have to have all of that figured out before we can have more of what we need to live better. We need room for experimentation and practice.

I think we're in a place now where we've become collectively quite romantic about alternatives. And there's this idea that we just need alternatives to policing. And then we get a lot of the stuff that you were describing, Dean, all the replications of what we currently have with different names, rather than How are we going to transform our relationships with each other? Which I think is fundamentally at the heart of what needs to change.

I do think that when people say we just need a bunch more community centers, and everybody just needs to have a place where they can go and macramé after school—I am for community centers, I am for alternatives. But that's not a fix, right? That's not the same kind of fix as having public transportation that works, that runs all night, that is free, that can take you somewhere where you're not vulnerable on the street. A set of community-based programs is never going to do the same work that that could do. Or having streetlights or having high-quality education or having access to medical care. All of those things are not going to be offset by Dean and I running little projects out of our houses, no matter how good Dean and I might be at it. It's just a different scale. I don't think these kinds of projects can replicate the scale of need that we're up against, which doesn't mean we shouldn't have them, which doesn't mean that they don't play a very important role. But it does mean that we can't act as if it's a one-to-one trade-off.

So the infrastructure is important. Having a place to be in—a place that is safe and dry, all of those things, free from the elements, free from harassment—is really important. And so the example that you were giving, Bench, about Philly Stands Up—that's the kind of infrastructure you need, right? Whether that's somebody's house, or whether that's the train station, that's what's necessary to be able to have these complicated conversations, to be able to really get into difficult negotiations with people in a space where they don't feel like everything's going to come collapsing on them and they can participate in those conversations in a real, genuine way.

As for the question of where transformative justice is, I would agree with you, Dean, I think it should be everywhere. If we're applying that framework well, then

we're doing it everywhere. And I will confess that I struggle to do it well, everywhere. There are some relationships in my life that I just am like, no thank you. I'm not really trying to resolve a bunch of stuff with you. And I don't think that that's necessarily a complete contradiction of my politics as much as it is a reflection of how hard it is to apply those politics well and consistently. But I think Dean said it really well. If we imagine transformative justice to be a framework or methodology that we apply to the things we're trying to transform, then it could happen anywhere. And I genuinely do think that that's what it takes. Because I think that's part of confidence building. As much as we need skills—and we 100 percent need skills; we need time and space and cover to practice so we can develop those skills—we also need confidence. As we practice, we won't be as prone to take the bait because we know that the thing we try, even if we fuck it up, is likely to be better than what's already on offer. And I don't mean that lightly. I mean we have to build the dynamics between us, such that people can be more confident that if something goes down, they would have a role to play, even if it's not perfect. That's the where. And I feel like we're in a weird place right now, where there's a lot more adoption—maybe it's co-optation—of the language of transformative justice and the idea that people are doing TJ. And sometimes I'm not sure exactly what that means. Organizations spring up, and some may have nonprofit status, or some may be professionalized by absorption into the academy or the state apparatus. These things are happening. Transformative justice is happening in all of those places. And I'm not yet ready to say that we should just oppose all of those sites of practice. My guess is that something useful is happening there; maybe it's worth salvaging the nuggets before we burn the house down. But I also want to acknowledge that its growing ubiquity means that sometimes it'll flow into these other sites, where it might get more constrained. Or it might get overlaid with the very things that we're trying to get it out from under already.

BA: *I want to follow up about this question of abolition and the state. What is the relationship between the practice of transformative justice and the state? I think that if TJ has had an orientation toward the state up to this point, it's mostly been one of refusal or abstention—seeing itself as a challenge to state authority, or a reimagining of our social relations outside of the state. And yet, the state is there just as infrastructure is there. And one question that might be helpful to think through is—when the movement started calling itself transformative justice, it was at a moment when it was happening in such small pockets that it was almost easy to eschew the state apparatus altogether. And so my question is about what has changed in the last few years. What's the current terrain of struggle? How has it shifted since 2005 or 2007, when we saw the first flowering of self-identified TJ projects?*

The US state is obviously too vast to consider in its totality. But I am starting to wonder about my own possibly knee-jerk posture of "we exist outside of the state,"

which has been the easiest posture, at least in my work with Philly Stand Up. We simply didn't work with the cops, courts, or prisons. That was crystal clear. Our only engagement with the state was in joining local decarceration efforts. What do you think about this question of state engagement?

RH: I think I had a similar orientation, Bench, around the punishment system: no engagement whatsoever. And, for most of my time doing this work, I've been way too purist about it: "I'm going to take the high ground here." And I think there's a reason for that. I'm not trying to disparage positions that I took, because I had legitimate concerns. I think you have a much, much harder time trying to dismantle the punishment system if you're engaging the punishment system—because you give it legitimacy.

And that's still a tension that I have today with comrades who believe in police accountability bodies. Some of the smartest people I know believe that these accountability bodies could work toward the purpose of abolition. I don't think they can. That was a line that I have drawn historically: no engagement with cops or guards.

But I believe in hospitals. I've had my life saved in a hospital. And it was not a private hospital. And I like the idea that I might be able to send somebody to a hospital if they need help, particularly if I have some reassurance that the people there have good common sense around not engaging the punishment system. There are plenty of medical spaces that are no-cop zones, or they have parts of the hospital where cops can't go.

I believe in education. I think people should be able to go to school. I would like schools to be high-quality schools, and I would like people to be learning things that are useful to them. But even schools can be used by the punishment system and frequently are used by the punishment system. I'm not of the opinion that there's something inherently punishing about schools. I think schools have frequently been manipulated to do that, but I don't think the practice of education *has* to be coercive and punishing. And for that purpose, I would like people to be able to go to school.

So I don't have a set of hard and fast rules when it comes to all state institutions. I was trying to think if there is any nugget at all inside of the punishment system that might be of use, and I cannot think of one. But I am not, I'm not ready to forego the state altogether. I do not believe that all states are the same. I also do not believe that the state is a static form. And I do think that there are possibilities—I just said a few of those. I do not think the US state needs to be the model of what a state is. I think there are other forms that it could take.

DS: When I learned the term *transformative justice*, what was significant for me was its refusal to involve the cops and the courts. And that was important to say because there were a lot of restorative justice projects happening (not all restorative justice does this) that were working with the court system—a restorative circle with police officers and the survivor of the harm and the harm doer. Those processes are often complementary to the existing system or even an expansion of the system

because they hire new staff to put people through those processes. Such "alternatives" can be good PR for the criminalization system while it continues to harass, arrest, and imprison the same populations.

That is why *transformative justice* was such a significant new term—a way of talking about alternatives that explicitly refused to collaborate with cops and prosecutors. To me that refusal doesn't mean we don't touch those systems. Abolitionists tangle with really difficult things like how to do prison education programs where you have to go through the Department of Corrections without being co-opted as good PR for the DOC—and while facing the limits they put on your program. Abolitionism isn't about purity in being allergic to government formations, or even criminal punishment system formations. It's knowing why you're there, having criteria for how you will engage. We are here to dismantle, we are here to support criminalized people, we are here to not let this system use our models to replicate or expand itself. It's hard work. We need to collectively debate our tactics, we need to make mistakes and learn. That is abolitionist and transformative justice method.

Abolition and TJ work on college campuses can look like campaigning to get your campus to stop working with city police and to get rid of your campus police. Or putting together survivor support groups or doing deep education around consent and sexuality and gender-based violence with the campus community. There are countless strategies for the countless harms happening in any given community. It's about taking where we are as the site of intervention, but not necessarily investing in the idea that our campus is going to become a thing that delivers our liberation. Let's organize here where we are. Just because we mess with institutions or use institutions as sites of organizing doesn't mean we are uncritically embracing them as the world we're building.

On the question of the state, to me, prisons are fundamental to the nation-state form. In my opinion, if we get what we want, which is to end capitalism, militaries, prisons, borders, and police, in my opinion we will not have this thing called the nation-state. I am often surprised when other abolitionists are not anarchists, because this seems obvious to me. It makes for a compelling conversation amongst abolitionists, which I am excited to see happening a lot right now.

I firmly believe that we can have the things we need in the world like health care, electricity, and transportation without extraction, without profit. And actually, we'd have them much better if they were governed by people who use them, if they were not for anybody's profit. I learned this through different forms of women-of-color feminist and disability justice frameworks that are critical of institutionalization, that are concerned about distribution of well-being. Through these lineages I figured out that I want to abolish the state form that was invented to facilitate extraction and uses violence to maintain it.

That doesn't mean I think the state is going to disappear quickly, just like I don't think that prisons, policing, militaries, and borders are disappearing quickly.

Nevertheless, abolition helps me discern the directions I want to head towards, and the directions to avoid. For instance, because I'm an abolitionist, I know I don't want trans cops as a way to deal with transphobia. Anarchism offers a parallel compass—helps me know that what I am building towards is no state, and helps me assess and debate with others whether given tactics are on the right path or are strengthening what we are trying to dismantle. I think there's something wrong with small groups of people (elites) deciding the life circumstances of huge groups of people that they don't know. That's what states are. The US is a particularly horrible one where the government is a farce and elites rule through a corrupt electoral and judicial system designed to establish and maintain a colonial, white supremacist extraction machine under a pretense of democracy. But I think that centralized state power is a problem beyond the US too.

Being an anarchist does not mean avoiding engaging with the governments we live under. We get into city councils and defund the cops. We oppose new criminalizing laws and new criminalization expansion projects. This is not a purity thing—not about ignoring current governments. It's about what we are imagining we are going towards. Our task is to build our capacity for collective self-determination. Are we ready to run our own lives together? We've lived in this pacifying and conquering societal model of a nation-state that requires extraction from us, and assures us we're incapable of meeting our own needs together. Everything we need we have to get through the racist, capitalist, fossil-fuel based, profit-centered food, energy, housing, health care, and childcare systems. We want to be liberated from those systems and create ways of surviving that are run by the people who live with and through them.

The rest of our lives will be marked by mounting crisis and disaster as ecological crisis mounts. The state forms we live under now respond to crisis and disaster with militarization and control. They show up to the hurricane with a lot of guns, not with water, housing, and medicine. We can see how they managed the pandemic—letting millions die, enriching a few people, making a vaccine for profit so that most of the world can't get it. They're terrible at managing disaster. And they've created a disaster pipeline that we are going to be living in for the rest of our lives.

And so the question is not What's my fantasy for how we could live? Because that's not really on the menu. The question is How does what I believe about the state help me prepare with others for what's coming? What do I do if I know they're going to show up with guns and cages to all the disasters, and I know they're going to divert as much money (which they extracted from us) away from our well-being as possible, so that after each disaster, we're actually in worse condition? How should we prepare for the next disaster, to have the most possible skills and tools for what's coming? This is beyond the fantasy that if we just got the right people in office, I would never need those skills and tools because the state will take care of me. That help is not coming. It's beyond the eleventh hour, and we don't have Medicare for All or the

Green New Deal (both of which are inadequate), they keep growing the immigration enforcement system, we don't have relief from constant warfare, no matter who's president. For me this is not an absolutism around whether or not we should do electoral work. We should be looking for political opportunities everywhere, but we should be very skeptical of the idea that getting the right people into the government will change much.

The bigger goal for me is maximum mobilization of the people to take up active roles in their own lives and in their communities. Achieving that is very place-based and based on local political conditions. Once we release the fantasy that the state is going to be the source of care and support, it's not as if we turn our backs on it or don't use the electric grid (for now). Instead, it's about enacting social relations that better prepare us for disaster and distribute resources better. We have to figure out how to do that within the actual conditions we're in, with food and energy systems that are going to collapse in our lifetimes. These systems *already* collapse in places where disaster is more advanced, in particular communities and for particular populations—like in Puerto Rico, inside prisons and jails, in the poorest neighborhoods. What did we learn about centralized electricity systems from the California fires in 2018 and the fallout of Hurricane Maria in Puerto Rico? What could we learn about COVID from how it unfolded in prisons? What did we learn about the nature of prisons and about the nature of disaster from Katrina? From all the different disasters we're living through?

Abolitionists are increasingly debating the question of the state. I am finding those debates thoughtful and caring and important for this phase of our work. Nobody's got the answers for what will happen next. We are all assessing the crises. Just as abolition and TJ challenge us to place our faith in human potential, this question of the state asks us: Do we believe we could do for ourselves better than a centralized state organized by white supremacy and capitalism is doing for us?

BA: *In my experience, transformative justice, from the start, has had an anti-authoritarian bent, if not an explicitly anarchist orientation toward the state. I'm thinking about Rachel's point that the state isn't a static form; it changes over time. And in this moment, as the state and its adjacent institutions are potentially warming up to the idea of transformative justice, I want to think a bit more about our orientation toward these institutions. Dean, you draw this useful parallel between how abolitionism helps define the direction we're going over the long term, even if it's not immediately achievable. And anarchism plays a similar role for you. So how would a more full-throated embrace of anarchism potentially reconfigure transformative justice work, especially since anti-authoritarianism has been part of TJ from the start? The other side of this question is whether the state form has any potential role in what Rachel called the essential work of transformative justice, which is transforming our relationships with each other.*

RH: I've been thinking a lot, Bench, about what you laid out here. And I appreciate the provocations and the questions. And I will lead with something that I think is probably obvious, which is that I am not an anarchist, I do not hold anarchist politics, and so I can't speak to what a "full-throated embrace" of anarchism might get us.

I do imagine myself to have anti-authoritarian politics, so I don't think that those two have to be tied together. If we're imagining a transformation of relationships, I don't think we need to rely on the state to make those possible. But I don't know that the state completely precludes us from being able to transform our relationships to each other. In my recent experience of abolitionists' critiques of the state, a lot of those operate from the presumption that the state form must be tied to capitalism, and while I think the reverse is true—that capitalism relies very heavily and maybe requires a state form in order to function—I'm not sure that I believe there is not a state formation that couldn't operate outside of capitalism. We have global examples to draw from there. Abolitionist politics requires us to think very expansively and creatively about what's possible. We're imagining what doesn't already exist. And we apply pretty broad and visionary politics toward that end. So maybe that's a full-throated embrace that I'm interested in: a genuine interrogation of what would happen if we applied ourselves to thinking as expansively as possible about what structures we could put in place in service of anti-authoritarian politics. What supports for service provision and governance could be established that don't replicate and fuel the exploitation and divisions inherent in a capitalist state? And maybe that's just too contradictory to be possible, but I'm willing to take up the task of imagining what else.

The other thing that I think is important in terms of my thinking around this stuff is to remember that prison industrial complex abolition is not a finished project, or a project that has a definite end point. It's processual and more like a horizon that moves us in the direction of the future we seek. Because I'm imagining prison industrial complex abolition as a horizon that we're moving toward, there's a way that thinking about a static state formation that looks essentially like the United States state form in this period doesn't allow for the creativity or flexibility required by this kind of horizon thinking. What else could be possible?

DS: I want to speak to what Rachel is asking about whether it's the right idea to reject the possibility that we could have some kind of state formation more conducive to what we're all dreaming about, or whether it's lacking imagination to dismiss such an idea. And this brings up a question that's been very central to me for many years: What is state formation?

I feel clear that the United States is a racial project founded in colonialism and slavery, that it's not redeemable, that it's based in these fundamental structures of oppression and exploitation and extraction, that it's a military imperialist project. I'm clear that the United States is not a salvageable project. But then I still have

bigger questions about state formations generally. That's a different kind of question. It's been useful to read the writing of Peter Gelderloos, a nonacademic anarchist theorist and activist/organizer whose work is full of instructive examples from all across time, all over the world. I also go back to Peter Kropotkin's book *Mutual Aid*, along with many other writers thinking about this question, including Harsha Walia and William C. Anderson.[9]

Where my own investigation of these questions has led me is that state formation requires the conquering of people and the centralization of governance, such that you lose power over your own life and your basic necessities. State formation requires extraction by elites, requires the concentration of wealth, and requires warfare—and this is always to the detriment of ordinary people. People have resisted the historical processes by which states came to exist all along. People have not wanted to be ruled by people they don't know, they have not wanted to pay taxes to somebody far away so that elites could build a military, they have not wanted to be forced to be conscripted to those militaries, they have not wanted to be subject to surveillance and police work from those faraway rulers. State builders had to conquer people to force them into states, and there has always been resistance to this kind of rule. People had health care, ways of educating youth, all kinds of infrastructure before states were built that eventually replaced many of those ways of doing things with something mandated by a central authority run by elites.

What people do when there isn't that form of state power, and what we do to survive while living under that form of state power (which is extractive to the point of being deadly for many populations) is that we practice mutual aid. Capitalism is about removing our ability to collectively create and maintain the conditions of our lives, and instead everything that makes our lives go becomes a source of profit. Even in states that are not considered capitalist, having to go through state systems for basic necessities is a site of control and domination. Because we live in a time period defined by mounting crises, more people are talking about and trying out mutual aid now. We're faced with what is fundamentally an infrastructure question: How can we build the networks and methods and practices to provide the basic necessities for each other's survival as the disasters unfold and as much of the infrastructure crumbles or fails? And how can we dismantle the infrastructure designed to extract from and subdue us?

When I hear you saying, Rachel, can we think more creatively and expansively about what the state could be, to me it just sounds like—couldn't we just think of a really good prison? I know that's not what you're saying, but that's how it strikes me because I am so convinced that nation-states are not designed to be life-giving, just as I am convinced the project of caging people is not redeemable.

When we look at the history of mutual aid work done by movements before us, from the Underground Railroad to the Young Lords, one thing we see is that

governments criminalize mutual aid. Governments try to stamp it out because they need us all to be forced into wage labor, to get our necessities through the market. That is how they control us and keep enriching elites at our expense. People have a hard time imagining being able to build enough of our own survival infrastructure because we are so dependent on capitalist methods for accessing housing, food, energy, etc. It's a huge imagination project, even though their systems are breaking down around us. They are terrible at providing people with what we need; the ways they provide it hurt and kill people and are endangering all life on earth. We have to imagine what it would look like for us to provide each other with everything we need—not through a centralized state formation but through the means that humans have most often used throughout human history: sharing, collaboration, and subsistence projects.

To me, the centralized state is fundamentally at odds with the collective self-determination and liberation that abolitionists imagine. State formations emerge and flourish under capitalism because they enable the types of racialized control and authority capitalism requires. I can't imagine a state formation that isn't articulating those kinds of control, and I don't know why I would want to. Why would it be liberatory to imagine a governance power that necessarily creates elite rule? It is through my abolitionist politics that I have come to understand what the state is, what state formation is, and how incompatible it is with liberation and collective self-determination.

This exchange features two key thinkers and movement leaders, **Rachel Herzing** and **Dean Spade**, who have both played a profound role in the abolitionist left over the last two decades. Herzing is cofounder of the abolitionist organization Critical Resistance and was a longtime organizer with Creative Interventions and its Storytelling and Organizing Project, which have helped build the scaffolding for the transformative justice movement. She is coauthor of *How to Abolish Prisons: Lessons from the Movement against Imprisonment* (with Justin Piché, 2023). Spade founded the Sylvia Rivera Law Project, helped organize the Building Accountable Communities Project at the Barnard Center for Research on Women, and is author of *Mutual Aid: Building Solidarity during This Crisis (and the Next)* (2020). The conversation is moderated by **Bench Ansfield**, a historian of racial capitalism with over a decade of experience with the veteran transformative justice organization Philly Stands Up.

Notes

1. Gilmore, "Keynote Conversation."
2. See, e.g., Kaba, *We Do This 'til We Free Us*, 136.
3. Anand, Gupta, and Appel, *Promise of Infrastructure*, 14.
4. Philly Stands Up was a transformative justice and abolitionist collective active from 2004 to 2015.
5. For a pointed critique of this position, see the Abolition and Disability Justice Collective, "Reforms to Avoid."
6. Shira Hassan is the former director of the Young Women's Empowerment Project and a longtime leader in the transformative justice movement.

7. Interrupting Criminalization, a project of Mariame Kaba and Andrea J. Ritchie, "aims to interrupt and end the growing criminalization and incarceration of women, girls, trans, and gender nonconforming people of color." See www.interruptingcriminalization.com.
8. For more on the Confess Project, see https://www.theconfessprojectofamerica.org.
9. Kropotkin, *Mutual Aid*; Walia, *Border and Rule*; Anderson, *The Nation on No Map*.

References

Abolition and Disability Justice Collective. "Reforms to Avoid." https://abolitionanddisability justice.com/reforms-to-oppose (accessed April 24, 2023).

Anand, Nikhil, Akhil Gupta, and Hannah Appel, eds. *The Promise of Infrastructure.* Durham, NC: Duke University Press, 2018.

Anderson, William C. *The Nation on No Map: Black Anarchism and Abolition*. Chico, CA: AK Press, 2021.

Gilmore, Ruth Wilson. "Keynote Conversation." Making and Unmaking Mass Incarceration conference, University of Mississippi, December 5, 2019. tweeted by Micah Herskind, https://twitter.com/micahinATL/status/1202728202424213505?s=20&t=Ts-Jt74Fgz4 _niqOdzUyKA.

Kaba, Mariame. *We Do This 'til We Free Us: Abolitionist Organizing and Transforming Justice.* Edited by Tamara K. Nopper. Chicago: Haymarket Books, 2021.

Kropotkin, Peter. *Mutual Aid: A Factor of Evolution*. New York: McClure Phillips, 1902.

Walia, Harsha. *Border and Rule: Global Migration, Capitalism, and the Rise of Racist Nationalism*. Chicago: Haymarket Books, 2021.