

**Kristen Cherry (KC):** I think that that is a big disincentive for survivors to come forward about their experiences of abuse because if they're afraid that what is going to happen is that their loved one, or somebody who continues to be a part of their life in some way, is going to be sent to prison and then maybe they're going to be blamed by their community or their family there are just a lot of negative consequences that can come from that. Um, and I think on the sort of flip side of that, there's also a reality that these - that's the carceral way that we handle harm in our communities is not just done through the state, but it's also something that we do at an interpersonal level. So like sometimes the survivor might be afraid of coming forward about either intimate partner violence or sexual assault, because she's afraid of the way that a family member is going to respond. Like, "I don't want my dad to show up at my abuser's house and like, beat him up or kill him" and what are the consequences of that going to be? And so I think that the way that we try to respond to harm with more violence, oftentimes it's really alienating for the survivor.

**Suhaiymah Manzoor-Khan (SMK)** Salaams, Peace, and blessings, you're listening to Breaking Binaries Season Two, with me, your host, Suhaiymah Manzoor-Khan. Known online as @thebrownhijabi. As a society, we're obsessed with explaining our world through the use of straightforward opposing categories. So good or bad, moderate or radical, pretty or ugly, victim or villain The list goes on. All these sets of binaries, though, tend to be quite superficial, and they hide the real complexities, the politics and the nuances of how we've been encouraged to think, following from the conversations of season one, every episode this series, I'll be sitting down with a different friend to break down, break apart and interrogate a different binary and see how doing so helps us think more critically about ourselves and our world, and therefore, how we transform it.

In this week's episode, I spoke to Kristen Cherry about the binary of victim and perpetrator. Kristen is a really good friend and we had a really great discussion. She's a survivor advocate and movement worker based in Louisville, Kentucky in the USA. And she's worked at her local domestic violence and sexual assault crisis center for two and a half years, counseling survivors in shelter, over the crisis line, and through the court process after filing for civil protection orders. Kristen is currently involved in community organizing efforts in Louisville as protests have continued following the police killing of Breonna Taylor earlier in 2020, that's included, co-coordinating a protest arrest hotline for protestors who are facing charges, connecting them to free legal support.

Kristen helped to interrogate both sides of this binary in a really nuanced way. And I think this is a really important binary for everybody to engage with because whether or not we know it, we use it quite frequently in the ways that we categorise people when we think about interpersonal violence. So I hope you can take something from this episode and approach it with the nuance that we also tried to give it.

**SMK** Welcome to another episode of season two. Today I am sitting with Kristen Cherry, who is all the way in the US how are you doing today?

**KC** I'm good, how are you doing?

**SMK** I am not bad. Thank you. So we're doing quite exciting and I think complex and nuanced binary today. And I think in order for us to approach that correctly and in the way that we want to, because this is something we have spoken about for, I would say almost like a year and a half. Um, I think it's just useful for us to start by you situating yourself in this conversation. So maybe telling us a bit about the work that you've done previously, um, and how you're kind of approaching this binary.

**KC** Sure. So, um, until earlier this year I had been working for about two and a half years, as an advocate at my local domestic violence and sexual assault center. Initially I was working on the crisis line and in shelter, um, which is like an emergency shelter for people who are fleeing situations of domestic violence and sexual assault. And after working in that position the most recent position I had there was primarily doing legal advocacy, which involved meeting with survivors at court when they were filing for protective orders, um, against people in situations where they had either been sexually assaulted or primarily were trying to get out of a situation of intimate partner violence.

So that's sort of the context that I'm coming from. And that work is very much like structured so that we work pretty, we worked pretty much exclusively with survivors, like, um, that work doesn't really have any involvement in working with people on the other side of that relationship or, um, like systems of harm.

**SMK** Okay. Okay. And then the work that you're doing now, I guess, is different to that.

**KC** Yeah. So right now, um, I am like in a lull of unemployment as are many people in the time of COVID. But what that has ended up looking like for me, because I live in Louisville, Kentucky, um, we've been sort of in the midst of a very live movement for racial justice. Um, Breonna Taylor was murdered by police here earlier this year, and there've been protests ongoing since about the end of May 2020, and so my involvement with that has primarily taken, I've been taking the role of helping coordinate a protest arrest hotline to connect protesters who are arrested with free legal representation throughout their case. But there's been a lot of like, mutual aid efforts going on, yeah, just like constant protests and a lot of demands for change. And, um, that's kind of what I have been primarily involved in.

**SMK** And I think those are really, you know, both those contexts really frame this conversation, I feel, in a space that we want it to be in, you know, where we kind of are simultaneously able to, you know, hold a critique of like the current justice system as it stands and like understanding a lot of the flaws within that. And at the same time, the work that you've done with survivors of domestic violence and kind of centring survivors in this conversation. And I guess this leads quite nicely into introducing the binary today. What we're breaking down is the binary of victim and perpetrator. And so the context that you set up there, I guess is the context we're primarily going to be focusing this in and, it's something that we have wanted to do for a long time. Um, but at the same time, something we wanted to do with sensitivity and just awareness that like this isn't something abstract, you know, this is like real people's lives. Um, and the ways that we talk about domestic violence, you know, that really affects people too.

So, having said that, I guess to begin with, could you tell us a bit about how, you know, this binary itself came to be something you recognised, whether that was through the work that you were doing, or, you know, where this language of victim and perpetrator even came from in, in the, in the space that you were in?

**KC** Yeah. So, um, I think it's something that I recognize like pretty early on, like in my training to become an advocate. And what I guess what was most striking to me was the way that we talk about survivors, right? And whenever we're talking about the person who's been abusing them or harming them, or like causing violence to them, the language that has like very commonly used is referring to that person as a perpetrator or perp for short. And so it was. I guess something that I think a lot of people in that field like really take for granted because it is so, it's not a field that, in terms of like the nonprofit systems that assist survivors, it's like very much survivor focused to the extent that I think that it can contribute to the dehumanisation of people who have caused harm.

Honestly, like one of the first times that I really realised that was when I was talking to Daria about it actually, who you did a great episode with in season one ([Innocence/Guilt with Daria Reaven](#)), and she coming from her background of working with people on death row and people who are being accused of crimes was like, "Oh, like you all use the language perpetrator, that's really interesting. That's very like, legalistic language." Um, and I feel like that was one of the first times that I was like, "Oh, this is like a word that is very similar to like criminal contexts", or like other similar language that kind of reduces people to a moment or a thing that they've done or like one role that they've played and doesn't give more context for how that harm actually happens in society and instead really makes it into an individual problem when it's actually a systemic one.

**SMK** Well, that's a, yeah, that's so interesting. Cause I feel like, um, even just that notion that it's something really taken for granted and that even within the sector like this, wasn't something that people would think about. I mean, it makes sense, like for all the reasons you've outlined, you know, you're centring people who have experienced harm and, you know, really going to be thinking about that in a big way. But I guess the point you raised there that actually if we are trying to think in like a bigger way a broader way and think about justice in a more holistic sense, is that useful? And I think what you said about dehumanisation that occurs through this kind of labelling of people as perpetrators of violence is something that also echoes a lot of themes through other episodes I've recorded with people and I'm really interested in maybe delving into that a bit more.

So beyond just being the perpetrator of violence, would you say there's like any, is that like almost a caricature of who this person is? Or what they're doing? I'm assuming it's like often in most cases assumed to be a man, I guess like a male relative. Is that right?

**KC** Definitely the most common dynamic that we would see play out would be like a man. Like whether that's like somebody's husband or like the father of someone's child or, um, their dating partner, being abusive toward a woman. That's certainly not like the only. Uh, like framework, obviously there's a lot of violence in queer relationships, too and violence comes up, uh, from women against men. This is something that crosses so many racial, economic, any type of background you can think of. So it can look a lot of ways, but I think that the sort of classic image is a man who is perpetrating the violence against a woman. And I think that part of the way that this

binary can be reductive is that it also tends to make them - the survivor - the like quote unquote, "victim", into this sort of like powerless person who has no agency in their life. I think that in the field of DV and SA advocacy, I do think that there has been a lot of strides in trying to humanise survivors and, trying to like frame them within a broader context, like understanding that there is no perfect victim of like, you know, somebody who's like never done anything quote, unquote "wrong". And they have their own trauma history, sometimes they are also struggling with substance use. They have other things going on in their lives besides just being abused by a person. Um, but I think that that humanity doesn't really make its way to perpetrators.

And I think in my experience, working in that field, it's less that there's like a specific idea about who that person is so much as an idea that like they're not deserving of consideration or basically just, we don't care about them. Like, "they deserve to rot" and like, let, "let the system take them", because I do think that it is a very carceral approach that people tend to take, from this sort of vengeful perspective of "you've done a terrible thing and therefore you deserve whatever happens to you".

**SMK** Yeah, that's really interesting because I guess it, it does play so much, you know, on that binary of, innocent and guilty as well that you [mentioned](#) and criminality. And it's kind of, I guess there's also this conflict, right? Of like who is the right kind of victim? And I, I mean, I imagine this is something that comes up as well, right around kind of who is really believed to be a victim. And I don't mean like necessarily by the kind of organisations you worked for, which I assume are much better at this but, I suppose, in a wider context, you know, just the system more broadly where it's kind of like, as you said about a victim needing to be somebody who almost is lacking agency and kind of, you know, purely just on this oppositional side of the perpetrator, I guess it, you know, also creates this situation where it's like if you are, as you said, if you're a victim and you also, say you had your own um, criminal record or say you had any kind of, I dunno, any kind of other things that are stigmatised going on in your life then, I mean, I assume that probably affects the way that this is also plays out in the sense of whether you're then deemed to be quite as deserving a victim in the same way that we're talking about like perpetrators.

**KC** Uh, that is definitely something that plays out, particularly when the legal system does become involved. You know, like whether the police are going to believe somebody or not, it's contingent upon, you know, their biases, when they show up on the scene and if the person who's being harmed and abused in that moment is somebody who's also clearly has used substances and is high or intoxicated in that moment, they might not really take them seriously. I think, you know, likewise in situations where the police have been called to a situation whether the survivor has called or a neighbor or whoever, um, if the survivor is really flustered and not able to put a clear story together, which makes sense because that's a trauma response, right? Like being not able to put things together in a logical timeline. But if the abusive person is able to do that more successfully and have a coherent story that paints them as the person who was attacked first. Um, maybe they have injuries that are more visible because maybe they were being super intimidating and up in the person's face and the survivor reached out and slapped them and they have cuts on their face from their nails or something. Right. Like there are so many reasons that things can look differently when the police show up there and they don't have a full picture of the dynamics of the relationship and what led up to that moment.

And at least the way it tends to work *here* (in the US) is that if the police arrived to a domestic violence call and both people are present who were involved, they have to arrest somebody - somebody is getting arrested. Um, and so sometimes in that moment, the survivor gets arrested. Like that's a thing that happens or, or maybe the perpetrator flees and the police maybe try briefly to find them and can't, and then, that's it. And then the perpetrator might come back and be even more escalated because the police have become involved and that's obviously a threat to them.

**SMK** Yeah. Wow. That's, that actually raises so many interesting issues, I guess, already, because I'm just thinking as well about - when you were talking about evidence, I guess there's a lot of parallels to at least here in the UK, and this might sound like a convoluted parallel, but I think, you know, we know that like, um, people who are seeking refuge in the UK, a lot of the times they will have, they'll have to kind of prove that, you know, their life is in danger, or like their human rights will be violated if they were to be sent back to where they came from. And a lot of times, like, you know, how do you produce evidence about things that, like you're saying, you might not be able to present your story coherently because it's so traumatising and you might not be able to, you know, you can't pull out like files and documents that talk about, you know, the kinds of interpersonal and political traumas that you've experienced.

And then in addition to that, I was just thinking about, you know, when you do have maybe undocumented people, and how if they're in a situation like this, you know, for them to call the police or for the state to get involved also risks, you know, as you said, they could be arrested, they could be deported, they could be detained. It's, um, that thing again of, like, you don't really get to be a victim because you're also, you know, wrapped up with all these other kinds of legal battles yourself, I guess, with your identity.

**KC** Yeah. I think that that is actually a pretty apt parallel between somebody who might be seeking refuge or asylum in another country, and like what I would see even happen in like protective order court, where people are put in this position of, okay, if I need this specific form of legal protection to feel safe and to get that I have to prove to the state that I am the victim. And that's such a tough position for somebody to be in, especially someone who doesn't know what the state is looking for really. And that was part of what I would try to do is help explain, this is the law. Um, like I couldn't give legal advice to people, but I could at least say like, these are the types of things that they tend to ask questions about and look for, look for in people's cases.

People who have their own - whether they are undocumented or if they have a warrant for their arrest for something unrelated, these are all things that play into whether someone feels safe to even seek out protection in the first place, or to call the police in a moment when they feel unsafe.

**SMK** Yeah. So it suddenly shows as well that, you know, I guess, this singular perpetrator and just dealing with them, you know, doesn't necessarily resolve all of somebody's problems. And so I guess at this stage, you've made it quite clear already that lots is being hidden by this very simple approach to, you know, "victim and perpetrator of violence". Um, and so I suppose to help us navigate through breaking this down, uh, in a more kind of direct way. What would you say is the central issue with this assumption that victim and perpetrator are absolute opposites? Like what's the thing that kind of just can help us trouble this really early on.

**KC** Yeah, I think that for me, the sort of central issue with this framing is that it removes the broader context of somebody's life and what actually plays a role in harm occurring because they really, I think that the criminal justice system in general and the way that people often talk about and think about violence is that it is this propensity that people have that is like, "oh, they're just like a violent person", when, people who tend to perpetrate things like sexual assault and domestic violence, and this is not always the case, but oftentimes have their own history of abuse.

So I think that, one thing that shows us really well is the ACE study, which stands for Adverse Childhood Experiences, this is a study that was done in the US that is basically a list of 10 questions to sort of assess different types of trauma that someone experienced in their childhood. So it asks did you ever see your parent, like physically abused? Did you experience physical abuse? Were you neglected in these ways? Did you experience sexual assault as a child? But it asks in a little bit more understandable terms. Was their substance use in the home? Did you have a parent in jail? Questions like this.

And it gives someone an outcome of however many you answer yes to is your ACE score. So like basically the higher your ACE score, the more types of trauma you were exposed to as a child, the higher risk you have for negative physical and mental health outcomes and the higher risk you have for being *either* a victim or a perpetrator of violence. And I think that, I say that like with the caveat that that doesn't mean that people who like experience trauma in their childhood are going to become perpetrators of violence or are going to become victims, but just that like people come from those contexts, and while it never justifies abusive behaviour and that behaviour is still the onus of the person who has done it, it matters why it happened, and what led to that person causing that harm. Because if we don't talk about that, we're never going to solve these problems because they're not individual problems, they're systemic and societal problems.

So I think that that helps us get to the root of the issues, whereas framing people as just, "you're a bad person", "you're a good person". Or you are a perpetrator and you're a victim, we don't get to have that conversation.

**SMK** No for sure. I think you're right. That's like a super helpful way of thinking about this. And I think, you know, again, this idea of innately violent people or people who are just more likely to perpetrate violence at some point in their lives is, is something that we can see so many parallels to whether that's kind of again, to give some UK examples, I guess whether that's like this idea that, you know, young, black men in London who listen to a particular type of music are more likely to be violent or that Muslim people are more likely to commit acts of violence. I think we can see so many flaws in that logic in other spaces that for me, you know, as soon as you explain that, I completely see there must be something that's being hidden from this analysis.

And I think as you've explained, it's a context which if we paid it attention to would lead us to have to hold to account, you know, many other institutions, organisations, societal structures that actually contribute to, you know, this very interpersonal violence. But it's that context of the violence really, that it sounds like, you know, is, is painting that fuller picture. Because actually what stood out to me was that you said, you know, these people who experienced multiple traumas are likely to be either

perpetrators or victims or *both* of violence. And I think that's so interesting that both of those things are so bound up together already.

**KC** Yeah. And I think it's also worth noting that like people who have like a higher ACE score or who come from traumatised backgrounds, there's obviously a higher concentration in communities of colour and poor communities. And those are also going to be the communities that are over-policed and over-criminalised from the get-go. Um, and so that also, I think, plays into who gets to be, who ends up categorised as a perpetrator or a victim. And I think it's, it's also worth saying that most women in US prisons have a history of being physically or sexually abused. So even the people who in the DV or SA advocacy world we're identifying as a survivor and a victim, they're still criminalised and treated as the perpetrator or like a criminal, uh, like they've "broken a law" or whatever. Um, and so that's how the state is treating them.

And I think that looking at cases like that, so one really well-known example in the US was the case of Cyntoia Brown, who was a survivor of child sex trafficking who killed someone soliciting her for sex when she was 14. And she was tried as an adult and sentenced to life in prison. You know, as like a child who committed this crime, she has now been granted clemency. So she only ended up serving 15 years. But I really think that that is only the case because her case got a lot of attention and media attention and publicity and people put a lot of pressure, on, uh, the governor of Tennessee to grant her clemency. And so it's really only like, in those cases where there's some sort of uproar and public attention that people are able to, you know - otherwise I think she would still be in prison, like for sure.

**SMK** Yeah, and I mean, 15 years and still such a long time, like to have served at all. I just wanted to add that, I guess, in the UK, just to say as well that the exact same thing is true. I don't know the specific statistic, but I do know, I have heard that, you know, the majority of women in prisons in the UK are also survivors of some type of physical or sexual abuse. And I think when I've heard that, you know, it's just so, it's so damning, like it speaks volumes just in of itself to hear that, like, what does that tell you about what this system is doing?

**KC** Right. Um, one other example that I just learned about recently, is this woman, Lisa Montgomery. So the federal government in the US has just resumed, uh, doing federal executions. So for people who are on death row. And so there is currently only one woman on federal death row and she has a date set for her execution later this year. Um, and she, you know, the crime, the thing that she did, the crime that she committed is pretty horrific, right? Like it's, it's a scary and sad thing, but that is all that is normally mentioned if it's being mentioned at all, which like, it's not even a prominent media story or anything, but, um, she comes from a background of extreme abuse, like was sexually abused as a child, physically abused as a child. She struggled with mental illness. Just like had a very like traumatising childhood, and I think that to leave that out of this story of painting her as, uh, this terrible villain who did this terrible thing is really insulting to people who are survivors of abuse. And it's just not giving her the context that she deserves.

**SMK** Yeah, and it's interesting to think about who is and isn't given those contexts, because, you know, it's kind of extraordinary to think that people who, I guess in the US there's like plenty of examples of, you know, these kinds of mass shootings perpetrated by like white men who will be

given a lot of context for the reasons and the causes and the kind of, you know, life circumstances that may have led to this moment - previous traumas, previous, you know, mental health situations, previous educational situations. And I think it's just interesting to hear that, yeah it's just interesting to reflect, I guess I'm just wondering about the forces that are at play as well when somebody like Lisa Montgomery is not given any of that context.

**KC** Yeah, I think that's a good question. I think that, my hunch about what is often happening - you know, Lisa Montgomery is a white woman, but I think that the background that somebody is coming from, whether their family is wealthy, whether they have resources to actually put up a fight - I think that, you know, our current government at a minimum, is obviously pretty openly white supremacist in its ideology and I think that we can only assume that what policies are normalised and ideologies are normalised by the government is also at play in who gets a second chance or who gets the benefit of context.

**SMK** Yeah. And I guess it also leaves unquestioned, you don't question the use of the death penalty at all in that case. Right? Because it's like, of course, you know, here's this inherently evil woman, you know, of course we should kill her, you know, and I guess that just remains this kind of absence where we don't question that at all.

**KC** Yeah, because I think that that is one of the functions that this binary serves because I do think it is very rooted in the way that our criminal legal system operates. And the way that it operates is that the options for people who survive violence is to either like go to the police and like pursue a court case and try to get that person sent to prison for months or years, or nothing. So, so I think that it's kind of the only option that is ever talked about or considered the most, the majority of the time.

**SMK** That's really interesting because I guess something that just comes to my mind as well is like - I mean you can probably give me more insight into this - but I've heard that like a lot of times, you know, the perpetrator is also somebody that people know, right? Like it's a family member or a partner. And I imagine that plays into this as well. Like whether, you know, having that binary of options that you just outlined. I mean, you're also dealing with somebody who's a member of like, you know, your family potentially. And, and I don't know how that must, you know, that, that puts you in such a difficult position.

**KC** Yeah. Yeah. I think like in the case of sexual assault; I think is what you're talking about. People most often know the person who assaults them, whether it's an acquaintance or a friend or a family member. I think particularly in those cases, when it's somebody close to you, of course, it's devastating to decide whether to pursue that. I think that that is a big disincentive for survivors to come forward about their experiences of abuse, because if they're afraid that what is going to happen is that their loved one, or somebody who continues to be a part of their life in some way, it's going to be sent to prison. And then maybe they're going to be blamed by their community or their family. Um, there are just a lot of negative consequences that can come from that. Um, and I think on the sort of flip side of that, there's also a reality that the carceral way that we handle harm in our communities isn't just done through the state, but it's also like something that we do at an interpersonal level.



So like sometimes the survivor might be afraid of coming forward about either intimate partner violence or sexual assault, because she's afraid of the way that a family member is going to respond. Like, "I don't want my dad to show up at my abuser's house and beat him up or kill him" and what are the consequences of that gonna be? And so I think that the way that we try to respond to harm with more violence, oftentimes is really alienating for the survivor.

**SMK** And I think that kind of reminds us, I guess of how easily lost the actual survivors and people who experience harm become in the whole equation, because it's just like, you know, "how are we going to deal with the perpetrator?" Or, how are we going to- it doesn't really, seem to center the needs of people - or listen to the fact that those needs might be quite nuanced and quite complex, I guess.

**KC** Yeah. And I think that what is sad about the way that we handle these types of issues, like how we handle harm on a society level is that the survivor doesn't really, most of the time doesn't get the benefit of being able to figure out what they want, because they're the only options they have or , do you want to go to the police or not?

And you know, sometimes survivors are able to find their own form of justice, without going through that process, whether that's therapy or finding a way to feel safe, but like rarely is there an opportunity to have any sort of accountability from the person who caused harm, um, that doesn't involve like them potentially going to prison, which yeah, I think you're very right to point out is not what people often want, and it can really make survivors feel like they don't have an option.

**SMK** Yeah. And I, and I, I guess also just what you're saying with the way the state becomes like the main mediator in these situations. I mean, obviously there's so many things you've already outlined about why that's really problematic, but I was talking, um, uh, a couple of weeks ago with some activists in the US and one woman was pointing out these examples where women who go to domestic violence shelters, and then, where the abuser, has called ICE on them. So like immigration enforcement. And I just, I was just thinking about, you know, what it means for the state to be both the entity that is meant to mediate this harm. But at the same time, it can just absolutely amplify that harm. And, you know, you're in this, shelter. And then the state can kind of infringe on the fact- it doesn't matter that you're a victim anymore. Your main status is you're an immigrant or you're a refugee. And I think, I don't know. I was just thinking about the way the state becomes really difficult to disentangle from in these situations.

**KC** Yeah. I think that is a really good point. And I think it really, it puts pressure on institutions like non-profits that work with survivors to figure out how to navigate that in an ethical way. Um, I think that to the credit of the place that I was working that was a situation where if ICE was contacting us or trying to find out if somebody was staying with us, that is not something we would share. We did not have any sort of policy of cooperating with ICE and we did have people who were undocumented, who would stay with us. But we also were located quite close to the ICE office so that could be a deterrent factor for people. And we also had a policy of cooperating with the police in a way that I think at times could be alienating for survivors.

I think that that is sort of an issue in a lot of these types of settings because there's a lot of, there's a lot of pressure on nonprofits to work with the community and to liaise in whatever ways their funders see fit, and that can kind of shape the policies more so than what would actually be in the best interest of most survivors.

**SMK** Yeah. That sounds really hard because there's not really- it doesn't sound like there's any space that's really the ideal, you know, a genuinely safe space, I suppose, because everybody's having to- you can't just turn your back on the state and kind of, you know, it's just somewhere out there, it seems like it's always encroaching on these spaces.

And I wonder as well about- and I guess it's not the same as domestic violence, but I was thinking about, you know, this question of accountability and mediation. I mean, what happens when, you know, prison officers or immigration enforcement officers are the people who are perpetrating you know, violence, whether that's sexual or physical or any other kind on people, there is no process of accountability there. And that just further complicates this question of victim/perpetrator and then state mediator, like, as these three parties, there's just so much else going on.

**KC** Yeah, that's a great question, because police officers, I can't remember the exact statistic, but there is certainly a problem within the community of police officers of perpetrating intimate partner violence in their own lives. Right? And so what does that look like when people try to seek support and help? You know, for pretty obvious reasons, people don't feel safe to call the police. It's something I've seen particularly survivors struggle with in rural areas where, whether their abuser is just like friends with some cops and like has a good relationship with them, and then they, the survivor is kind of already like, well, "they're not going to do anything when they show up to my house". So like, what's the point? Like who can I even call? Um, or obviously if their abuser is an officer himself then, like that's not going to be a way that people feel safe. I've even heard of people whose abuser is a lawyer and has some sort of relationship to judges and all of those things, it really limits individual people in those situations, um, to what options they have available to them.

And I think that this also plays out in situations that, you know, this is a little bit different than like intimate partner violence or sexual assault, but in cases of police violence, right? Like in Louisville Breonna Taylor is one of many people who have been murdered by our police department here and I think that it just kind of shows the goals and the motivations of the state. When we see that in situations like this, where the police have perpetrated harm, right? Like where they've done these like terrible things, um, to other people that they like don't face any jail time or any consequences for their actions. So like in the case of Breonna Taylor, the only charges that have been brought so far were against one officer, one out of the three officers that shot at her, and the only charges he's facing are three wanton endangerment charges, which are not for shooting her, but are for having bullets go through her neighbour's apartment so he put three of her neighbours in danger who were not involved in this situation.

So people are very upset here that there are no charges related to the fact that she was murdered by the police, that any of these officers are facing right now. And even for these minimal charges that he has so far has spent 30 minutes in jail because he was able to check in, pay his bail, and was immediately released while there are people protesting who are spending close to 24 hours in jail

for being in the streets. And so I think that that is just one of many examples of the state not actually working to serve the interests of victims right. Or survivors, I think it's really disingenuous for the state to position itself as like doing what it does to like bring justice for survivors, because that's clearly only happening when they see fit.

**SMK** Definitely I think, yeah, that is such a strong example of that selectivity, and just, you know, all those questions, of who's a victim, who's a perpetrator and how we want to apply these rules. And I guess it takes us also really neatly into what I tend to move people towards at this point in the podcast is, you know, okay, you've made it very clear that this binary is not very useful. It hides a lot of what's going on and it doesn't necessarily serve people who experience harm in all sorts of different ways, in the best way. And so, and I, maybe it's quite an obvious question because I think you have on sort of answered it in indirect ways already, but that being the case, you know, why does this binary then exist? Why do we kind of have this idea of victims of violence and perpetrators of violence, um, it's overly simplistic, but that means to me, surely something or somebody benefits?

**KC** I think that the primary function of this binary is to justify continued state violence and control. Because carceral punishment is the only form of justice that we really offer to survivors and incarceration is done in the name of survivors because we don't ask survivors what they want. We pretty much give them this option. Um, and I think that that also reinforces the idea that victims or survivors are sort of responsible for what happens. So if they come forward, it's like, okay, you really need to do this because otherwise other women or other people are going to be targeted by this person and are going to be harmed. But the onus is on you to make this happen. Um, which then like, it's really just the state getting the control that it wants over that case. Right. Because they're getting access to evidence and they're getting what they need from that person to pursue their own aims.

And then on the flip side, if the survivor is like, I actually don't think that I want to go through the traumatising process of going to court multiple times and having to have my story picked apart by an attorney. And I don't want that, and I don't want this person to be in prison for years then they're sort of like, it allows the state to sort of blame the victim and say, well, you know, we gave you this option and you're not doing it. And so, you don't, there's no other option or types of support, really given to the survivor at that point.

**SMK** I mean, it really just amplifies the kind of impossibility, I guess, of kind of seeking a real sense of justice through this. And I think you're right, like, uh, it does justify, uh, that continued state violence. And I think also because it focuses on the individuals, in that way, I guess we're distracted from kind of thinking about, you know, really why does this violence occur? Like why is this interpersonal violence occurring? And I think it goes back to what you were saying that, you know, all these kinds of traumas that are so linked to systemic issues, whether that's like poverty, resource deprivation, or, racism that has led to kind of those systemic traumas, which obviously result in like interpersonal traumas and the way that, you know, the very intimate things, like the way that your childhood is kind of experienced and the kinds of ways that your parents can be or not be there for you. And I think it's just interesting that like this focus, um, not only justifies, but also helps us just not even see state violence, I guess, it's just completely erased from the picture.

**KC** Yeah. I think that that is very much the binary serving its purpose, right? Is that it is making it purely about these individual situations. And it's sort of purporting to be making it about justice for the survivor and not looking at the ways that the state is perpetuating harm, and I think that what is really sad to me about the way that this works is that it provides a disincentive for people who have been abusive and caused harm to take accountability for what they've done. Because like, if you're faced with- if what happens when you do that, is that you end up going to prison or facing any other sort of legal consequences then why would you admit to doing that? And what would it mean for you to be honest about what you've done? There's no space for that conversation to happen, to acknowledge that the harm has been caused and to work through why it happened and reach any sort of healing for either party.

**SMK** That's a really good point. Yeah. Like there's no, it just sounds like- it's a very dead-end situation. And that's the resolution is just simply one person, not being able to continue their life in any way, which also obviously does impact the other person. So apart from the state, I suppose, what other, are there other institutions or entities that are benefiting from, or kind of connected to this? Because you obviously, we're talking about the carceral system here, and we know that people talk about this as the prison industrial complex. And it's, I guess it's not just the state at play here. right? So do we have an idea of like other people that may be, you know, directly benefiting from this.

**KC** Yeah. I mean, I think that non-profits really are very like deeply entwined in the system as well. Um, and so typically, so the place that I worked, like worked with survivors. Um, and we got funding from various foundations. We got state funding. We have like a lot of wealthy individual donors that gave funding. And so all of those things, I think, um, have power in the way that we address these problems and I think that generally it's going to perpetuate whatever system the state already has in place. Um, because non-profits at least in my experience, tend to sort of defer to whatever their funders want as strategies.

And so for us, that meant we have a relationship with the police. The chief of police was on our board. We didn't work with perpetrators or abusers at all. We had nothing that really addressed the relationship between those people, and on the other end, there are things like, something that, uh, someone might be referred to in court would be like the batterers intervention program, um, or like anger management or whatever. Like there were these classes sort of specifically targeted at people who like have, have caused harm. Um, and I think that that like divide between those two things, um, sort of continues to perpetuate, um, this binary. And it also is sort of regressive, right? Like if we're just sort of conforming to whatever structure the state has offered in terms of what justice means and what options a survivor has. Then we're not able to have these larger, uh, conversations about how to address like systemic problems, because it is so individualised.

**SMK** Yeah. And I feel like this actually, that's a really good point because there's so many players and also so many players kind of tied to contexts other than just providing the best, you know, most qualitatively, useful, justice and accountability strategies for people. And that's tied to all these other forces, whether that's who's making the money or where the power is. And I guess the question that really leads quite naturally from all the problems you've exposed is just, so what else? You know, what is the alternative? This clearly is a failing system. This

binary is not helpful in any way for us to think about ourselves, to think about violence, to think about each other. Um, and so beyond like victim and perpetrator as the framework in general for this, and everything you've outlined about how these acts of harm and acts of violence are mediated; are there better ways to think about this and please, you know, I'm hoping that there are, and please share with us some ideas or thoughts that people have been having around this?

**KC** Yeah. I mean, I'm certainly not an expert on transformative justice, but I do think that a transformative justice framework is a great starting point for how we can start thinking about and addressing harms in a more productive way.

**SMK** and what would that mean in a situation like this?

**KC** I think what that would mean is basically providing the opportunity for a survivor to identify what justice would actually mean for them and what they actually need to heal from the harm that has been done to them. And it would mean providing an opportunity for the person who caused harm, who caused violence or was abusive, to take accountability for what they've done. And I think that that is not something that is- you know, that's a hard thing and I think it's going to take a lot of time and that's not always going to be something that the person who caused harm is going to be able and willing to do. But I think that that is a good goal to have, is to be able to create a basis where a survivor can actually think through and process what they need to feel safe, what they would need to either not, maybe not even reach forgiveness of the person who harmed them, but just feel like what has, what harm has occurred is acknowledged and receive reassurances that it's not going to happen in the future, whether to them or to somebody else. And also gives the space for the person who has caused harm to acknowledge what they've done and not be afraid of being locked in a cage for years of their life, because they do that. Um, I think that that part has to be sort of taken out of the equation in order for this to function.

**SMK** Yeah. And I think that, you know, that speaks back to what you were saying earlier about a lot of people don't want to see this person necessarily in prison for the rest of their life. And it's like, you know, it's so obvious to say it, you know, centring survivors or at least kind of having a system where the people involved in the violence are actually at the centre of the question seems so intuitive.

And yet it's kind of like, you know, it's made into this thing that we have to *imagine* what would this look like if there was, you know, a system that did this. And I guess that, you know, for me, that kind of also says that this involves, you know, just a wider culture change because for us to have this, you know, these, I suppose mediations of transformative justice then I think at a wider level, there has to be just a changed understanding in general about how we think about violence- that it's something that has consequences, but not necessarily in the ways that we talk about, because I think the only way we talk about consequences is just, revenge and punishment.

And I think, you know, I was just remembering, I was doing this workshop a while back at a University and one of the, I don't know how it came up, but somebody, a young man, he was just like, "Oh, you know, if I ever found out anybody that I know had sexually abused anyone or been violent to any woman, then, I would just like punch him in the face". And I was just like, that's so interesting to hear that because it's this very hypothetical scenario. Right? But it's also like the

person who experienced the harm is just completely irrelevant in that scenario. It's all about this kind of like machoistic enactment of violence on this person who enacted violence.

And I just found it a really insightful kind of demonstration of this wider culture wherein I think we all want to distance ourselves from perpetrators of harm because it's showing that *we are good*. Like "I'm not perpetrator, look, I would punch perpetrators". The irony is completely missed in that, but I think there's also, you know, what you were saying that people have to feel that there are ways we can move forward because I think at the moment it's like, it's too disincentivised and we're too afraid, I think, to think or admit that we all probably are entangled in this web of both harm and causing harm and experiencing harm. And I think it just requires such a big shift of willingness, I guess to think in that way.

**KC** Yeah. I think that that is a great point that people really want to be on the right side- and so we have "sides". Right? So that people can put them, align themselves with the person who has had harm done to them. And yeah, I think that you're totally right that this is a web we are all entangled in and everybody has caused harm in their life and will continue to cause harm and I don't say that to say that all types of harm are equal, because obviously that's not the case and that everything has a- there's a different way to address every particular issue and problem.

But I do think that switching to this approach of removing the state from our problems, the problems in our community and our society involves us addressing it as a community. And so that involves everybody actually being involved and being able to acknowledge when they've done harm, being able to support a person who has been harmed or being able to support a person who has done the harm. I think that that is what we need.

**SMK** Yeah. And I think that contributes so well to questions people have around conversations to do with abolition that, you know, this constant, "but what about, you know, the rapists?" And I think this is a really interesting kind of response to that in the sense that, well, hang on were those who did experience that previously being supported in any way? And I think what you've just highlighted there is that like actually, you know, survivors or, people who experienced harm, are just like let down in every way by the current system. And so surely it's within our reach and our imagination to imagine a system that as you say, centres the actual people who need centring.

And I think that's, for me, that's the biggest shift that I see in what you've presented, it's just the system that completely puts the survivor last and the needs of these people who are really vulnerable. And then in contrast, this system where it's kind of, you know, imagine if the needs of that person came first.

**KC** Yeah, I think that that is what we need in this, in terms of a shift in our thinking in a way, the way that we address, these types of interpersonal harm. Um, I don't think that having a one size fits all solution is ever going to fit for everybody. Um, and I think that the, the example of "what about the rapist", is like rapists are very rarely ever incarcerated, it's an incredibly difficult process to actually convict a rapist. Um, and that is just another example of a way that survivors are let down by the current system. So like, if not that, what? and I think that that is where we need to really be exploring and trying to figure out what that can look like.

Um, and I will say like, as somebody who is pretty, relatively new to exploring the world of transformative justice and what that means, I would recommend, a book called *Beyond Survival: Strategies and Stories from the Transformative Justice Movement*, which is a compilation of essays by Ejeris Dixon and Leah Lakshmi Piepzna-Samarasinha and it's a very diverse compilation of people involved in transformative justice work in their communities and the ways that it brings a lot of hope, and also the ways that it's extremely challenging and sometimes doesn't work out quite right. You know, so it's not a perfect solution, but I do think that being able to start imagining and seeing ways of addressing things like intimate partner violence and sexual assault in another way is really crucial.

**SMK** Yeah, no, that's amazing. I mean, that was the question I was going to ask as a follow-up, so that's perfect. I'll include the information about that book in the description of the podcast. So, thank you so much. I feel like, you know, everything that you've just raised, particularly in that last segment, there is something that we can all kind of take into the thinking that we're trying to do about the world that we want to live in. And I really hope that, you know, other people listening, as I have, have kind of felt that this contributes to just thinking in those more complicated ways, but those ways that really do I think, speak to the place that we need to be thinking to imagine the world we really want to see.

And I think also, it's already happening, right? Like this is, I think already in our day-to-day lives. Like we do practice in very small ways, you know, giving people context, giving people nuance, making space for there to be those conversations. And, you know, not in the same context as this necessarily, but I think there are practices and actions that we can take into this. Um, thank you so much for being such a perfect guest. You well, and truly broke apart the binary of victim and perpetrator. So thank you so much. And we will speak to you again soon, hopefully on Breaking Binaries.

**KC** Thanks for having me.

**SMK** Thank you for listening to this episode of Breaking Binaries. I hope you, like me, can take something from our guest this week. Look out for episodes fortnightly and if you enjoy, please share. The music you've been hearing is made by an old high school friend, that came through, so shoutout to Violence Jack at @getviolencejack online. Thanks to all my guests for chatting to me every week and helping us to think a little more critically, and I hope, humbly, about our world.

I do believe that part of the way we transform the world is by transforming the ways we think about it. Thank you for listening. I've been your host, Suhaiymah Manzoor-Khan, bye!