

**INSURGENT**

**LOVE** Abolition  
and Domestic  
Homicide

**Ardath Whynacht**

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# Preface

On a dark, wet evening in March 2016, I was struggling to light the fireplace when my phone rang.

“It’s Kristin,” she said. “Kristin is dead.”

I paused. My guts went cold. “Have they arrested Nick? Is he alive?”

She gasped for air on the other end of the line, holding back tears so she could speak. “Yes.”



For decades, advocates who work with survivors of domestic violence have been predicting domestic homicide with tragic accuracy. Those who know *know* when someone’s life is in danger. That knowledge can save lives.

Kristin Johnston’s relationship should have raised numerous red flags amongst her peers, but no one feared for her safety. Her friends and family recoiled in shock and surprise when her ex-boyfriend took her life. For those of us who are familiar with patterns in domestic homicide, red flags feel like sense memories. It’s like smelling something familiar, but you aren’t sure where it is coming from or why it makes your blood run cold.

But what are we supposed to *do* when our fears are anchored in experience and our gut is telling us we are in danger?

What do we *do* with that?

Most precursors to domestic homicide are not necessarily criminal, and even when they are, few report the violence and even fewer receive consequences that lead to improved safety. Reporting to police can be dangerous as abusers often retaliate when bystanders or survivors report their concerns to police. Policing, as a general strategy of crime control in contemporary settler states, has not kept us safe from family violence.

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I am someone who believes in abolishing police and prisons. Despite working for two decades with survivors of family violence and those who have been convicted of homicide, sexual abuse and intimate partner violence, I don't fear a world without prisons. Working with incarcerated people has given me an intimate glimpse into how—rather than improving community safety—policing, prosecution and imprisonment intensify the cycle of violence and create more dangerous conditions for us all.

Decades of activism, social research and brilliant scholarly work have made a case for abolishing prisons and police to improve safety and bring healing and justice to our communities. Abolitionist feminism seeks to transform the conditions that give rise to violence. Abolitionist feminism acknowledges that intimate partner and family violence cannot be seen as separate from state violence, which arises through the military and police. For those of us who want to see what the world looks like beyond the horizon of what Beth Richie calls a “prison nation,” we are indebted to Black and Indigenous feminists and queer, trans and two-spirit organizers, who have shown us a multitude of paths forward.

Yet, despite teaching and writing as an abolitionist, I still found myself perched on the edge of a hard wooden bench in a courtroom pleading for a guilty verdict for a friend of mine who had murdered his girlfriend. Ground zero—the territory in which the impacts of homicide are immediately felt—is ripe with mess and contradiction. As Shira Hassan reminds us, transformative justice “is nothing if not sitting with the beautiful mess” (Dixon and Piepzna-Samarasinha, 2020, p. 203). Thinking through the most dangerous forms of family violence and how we might respond without police, guns and state violence is heavy and hard.

With this book, I wanted to gesture towards transformative justice for domestic homicide. I wanted to start thinking about what an abolitionist strategy for domestic homicide might look like. I don't have all the answers. I share, however, my own journey in thinking through how we can get out of the dead end of carceral feminism and start contextualizing domestic homicide within settler colonialism and racial capitalism. We don't spend enough time thinking about what makes someone a killer. We don't have the right tools for responding to their violence and the risks they pose to our kin.

This book is my attempt to spark a conversation between those who work to understand domestic homicide and high-risk family violence and those who are committed to transformative and abolitionist movements

for justice. The prison system should not be our only redress for homicide. I wanted to write something that could help us build spaces of safety and refuge so our movements can be inclusive to those who have been most deeply impacted by ongoing systems of coercion, control and violence. Writing this book is helping me to mend the tear that opened up in the earth beneath my feet on the day that Kristin Johnston died.

In the short period of time between the killing of Kristin Johnston and the final draft of this book, two high profile tragedies occurred in Nova Scotia. In Guysborough County, Shanna, Aaliyah and Brenda Desmond were killed by Lionel Desmond before he took his own life. In the community of Portapique, a mass shooting incident began with an attempted domestic homicide and resulted in the loss of twenty-two lives across Nova Scotia. This was the largest mass murder in Canadian history. These tragedies form the backbone of the story I seek to tell in the pages ahead.



Grappling every day with violence takes its toll. Many of us who make a daily practice of responding to violence in our communities face the cumulative effects of bystander or vicarious trauma. We often turn to this work because of our own experiences with violence, which leaves us processing layers of personal trauma with the effects of frontline work.

During the writing of this book, a period from 2016 to 2020, I became intimately acquainted with a tangled mess of state and intimate terrorism that left me numb and broken. In this four-year span, Kristin Johnston was killed, and I faced constant threats and abuse from trolls in the comment sections of newspaper articles I was quoted in. As a feminist academic who does research on family violence, it is my job to contribute to public discussions on domestic and family homicide. This work comes at a cost. I received countless letters from survivors and perpetrators of domestic homicide after being featured on a national radio show to discuss trauma, stigma and risk factors for violence. On one morning, I arrived at work to a handwritten letter full of intimate details of killing and visceral outpourings of remorse. Someone phoned my campus office to say they were thinking of killing their family. They needed someone to talk to. One of my students narrowly escaped her boyfriend, who became suddenly abusive when she tried to leave the relationship, and I spent nights lying awake, knowing her apartment was on the ground floor and he could easily break the glass and climb in the window.

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During Nicholas Butcher's trial for the killing of Kristin Johnston, I sat through every minute of the proceedings. The medical examiner provided detailed testimony of each wound found on her body. We listened to the entire 911 call, where Butcher called for help after cutting off his hand in a botched suicide attempt after the murder. During the trial, a new roommate moved into my house after fleeing an abusive partner, and her ex-boyfriend visited regularly to watch our house from his car on the street. While I worked to process the trial at home in my pajamas, I made sure the blinds were drawn and the dogs were alert in case he was outside, looking for an open window. During this time, every door, every window, every relationship was to a portal to imminent danger.

I still feel that way sometimes. I've felt that way to some degree since I began working with survivors in 2000. It's easy to feel like the world is *naturally* dangerous. It's easy to forget that it doesn't have to be this way.

After a long career of working on violence, trauma and healing, I was numb and withdrawn, battling depression and PTSD, which left me with little capacity to function or feel anything at all. In 2019, I took a break to process the consequences of thinking, breathing and writing about violence every day.

The birth of my daughter forced me to pick up the pieces of my mental health. I returned to this manuscript. Maybe it is more accurate to say that I returned to the world again. I returned to life-sustaining conversations about prison abolition and transformative justice. Feminist abolitionist colleagues and allies made this work seem possible. I felt and still feel a sense of responsibility to the ones who will inherit this broken world of ours.

The generosity of men serving life sentences for violent crimes—their honesty and vulnerability in conversation about these issues—also made this work seem possible. I owe my own healing and the completion of this book to survivors, incarcerated people and activists who are working to build another world with the broken pieces of our carceral state.

I want to stress that my experiences with homicide and intimate partner violence are not an anomaly. Countless frontline workers, volunteers, friends, Aunties and activists face an onslaught of mess and danger as they work to protect the ones they love from family and state violence. This persistent snarl of crisis and violence is a daily reality for many of us. My own experiences as a queer cisgender femme with white privilege are on the gentler end of a spectrum of brutal violence in our communities.

When you speak publicly about the unspeakable, you can become a lightning rod for energy that is already in the sky. Taking a stand against state and family violence comes at a cost. If you are reading this book, I imagine you are standing with us, in the aftermath of such violence, and looking toward a future that is less painful.

Not all survivors of intimate partner violence will agree with what I argue in this book. That is okay. I don't expect everyone to agree with me.

As I worked on this “abolitionist” book, I found myself praying that my friend who murdered his girlfriend would receive a 200-year sentence and die in prison. This shit is complicated.

If you are debating whether you want to dive into a book that spends a considerable amount of time talking about violence and murder, here are some things to consider:

This is a book for those who advocate for survivors of family violence and are willing to question the role of the carceral system in making safer communities.

This is a book for proponents of prison abolition and defunding the police who want to think strategically around managing and reducing the harms of the “dangerous few” who risk the lives of our kin.

This is a book that searches for a way out of existing carceral feminist approaches to domestic homicide.

This is a book for students of transformative justice who want to think more precisely and intentionally around responding to the most dangerous forms of intimate terrorism in our communities.

This is a book written for and with survivors of intimate and state terrorism—who impel us to imagine a world free of police violence and domestic homicide as we build spaces of safety and refuge within our movements.

Thank you for reading this far. Thank you for your willingness to dive into this mess with me. This book is for you, too. I hope you find something helpful in here.

# Domestic Homicide and Abolition

“While prison abolitionists have correctly pointed out that rapists and serial murderers comprise a small number of the prison population, we have not answered the question of how these cases should be addressed. The inability to answer the question is interpreted by many anti-violence activists as a lack of concern for the safety of women.”

— Incite! and Critical Resistance, 2001, p. 142

“The stakes, then, are high, when it comes to assessing domestic homicides, phenomena that strike at the heart of how and what it means to get close to others, to build and maintain families and kinship networks (variously defined), to raise new generations, and to contribute in a thoughtful and prosocial way to broader society.”

— Neil Websdale, in Jaffe et al., 2020, p. xix

Domestic homicide is the murder of one’s intimate partner and/or other family members. “Domestic” refers to the home or family. It is a word we use for the space that contains our most intimate relations. The definition of domestic homicide differs across jurisdictions, but it is generally understood as killing that occurs in the context of an intimate or familial relationship. These tragedies often involve the suicide of the killer and/or the murder of bystanders or witnesses. In countries across the world, death review committees have been established to provide inter-agency analyses of domestic homicide to better prevent and respond to such tragedies (Dawson, 2013). The Canadian Domestic Homicide Prevention Initiative argues that to understand and prevent domestic homicide, we must use a “social ecological model” that is attentive to how risk factors for violence operate at different levels of an individual’s experience (Jeffrey et

al., 2018). However, despite increasing use of social ecological models and inter-agency death review committees, rates of intimate partner violence remain persistently high and, in times of economic or social stress, are on the rise (Fox, 2004; Lagerquist, 2016). Despite expanding awareness within the violence prevention industry of the need for social ecological models and intersectional approaches to preventing domestic homicide, these tragedies continue to be treated as “anomalies” in an otherwise peaceful society. Collectively, we continue to assume our “domestic” spaces are safe places. Saidiya Hartman (2020) reminds us: “We want to maintain a fiction that desire exists on one hand and violence and coercion on the other, and that these are radically distinct and opposed.” Hartman, like others (Davis, 2003; Wilson Gilmore, 2007), argues that intimate violence is normative and embedded in the foundations of the nations that contain us.

For the most part, solutions for preventing domestic homicide are understood in and through state-based systems of policing, prosecution and punishment. Safety is understood as something provided through secure shelters, though they rely on the whims of charitable donors to keep their doors open and never seem to have enough beds for the survivors who need them. It is often cited that *a woman is killed by her partner, on average, every six days in Canada* (Statistics Canada, 2014). As official agencies, consultants and non-profit staff work together to improve public responses through state-funded agencies, we continue to lose women and gender nonconforming people to intimate partner violence at an alarming rate. Those who face the highest statistical risks for homicide and intimate partner violence also face the highest risks for state violence through police, child-protection agencies and prisons (Richardson/Kinewesquao et al., 2017). For those who face state violence through police and prison systems, their experiences with coercion, violence and destruction of autonomy echo throughout public and private life. For Black, Indigenous, disabled women and gender nonconforming people, contact with police poses more danger than an abusive partner.

### **Police Homicide**

Police are what we call our “domestic security” forces. They are ones tasked with serving, protecting and keeping us safe inside the nation states that contain us. Police also perpetrate a significant number of homicides. Between January 1 and November 30, 2020, police shot fifty-five civilians

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(Malone et al., 2020). *Police shot a civilian, on average, every six days in Canada in 2020*. Although the majority of these victims were men, the Women's International League for Peace and Freedom point out that "Black and Indigenous women are significantly more likely to be killed by the police compared to white women" (2021; see also Richie, 2012). Police and military personnel also perpetrate intimate partner violence in their own families at a higher rate than the general population (Macquarrie et al., in Jaffe et al., 2020). Black and Indigenous women have been arguing for decades that intimate partner violence must be understood in the context of ongoing state violence (Davis, 2003; Palmater, 2016).

This book takes this directive seriously. I consider police homicide to be an incarnation of domestic homicide. How can we conceptualize state violence and family violence together as we work to prevent domestic homicide and heal from the tragedy?

### A Note on Language

Many of the pioneers in domestic violence research were feminist frontline workers who were invested in the liberation of women from patriarchal violence. However, in the decades since feminist organizing against domestic violence emerged in the 1970s (Bumiller, 2008; Sheehy, 1999; Richie, 2012), our understanding of the roles of racism, homophobia, class and cisnormativity has complicated both our views on intimate and family violence and our approaches to ending it. Research and writing on family violence are interdisciplinary and involve various and often conflicting political and institutional loyalties. The language we use when we try to understand painful, complex and difficult lived realities for those who experience family violence can carry harmful baggage with it. I try my best to be intentional and clear in how I use language, but at times I may need to use terms that make sense within the work I am discussing.

In the following pages, as much as possible, I refer to intimate partner violence, child abuse and elder abuse by using the term "family violence." "Family" and "family violence" are terms that are usually understood as referring to heterosexual nuclear families. As resistance to colonial Christian conceptions of kinship I use the term "family" to mean to *both* biological and chosen kin (Tallbear, 2018). "Family," in this sense, refers to chosen, biological or legal arrangements between and amongst those who inhabit homes together, care for each other, or engage in romantic

or sexual relations. I acknowledge that this is not the understanding that many of my peers in the domestic violence research industry hold, but I am a queer person. My understanding of family is informed by my upbringing by and with my chosen family.

“Intimate partner violence” refers to how we understand violence in an intimate relationship. “Gender-based violence” refers to violence that occurs because of a person’s gender. In some ways, this term is more inclusive of transgender survivors of transphobic violence. In other ways, however, it strips the specificity of focus on how intimacy, love and violence can coexist in domestic spaces. Data on “gender-based violence” lumps hate crimes perpetrated by strangers together with more intimate forms of family violence.

Much of what we know about killing within a home or relationship is informed by research on “intimate partner homicide.” However, use of this term ignores data that demonstrates that in almost half the cases, the killer attempts or completes suicide (Velopulos et al., 2019). There are often multiple casualties when a coercive partner turns to homicide, including children, elders and bystanders, who are also killed in approximately 20 percent of cases (National Coalition Against Domestic Violence, 2020). So, intimate partner homicide, a term that more broadly encompasses both queer and heterosexual couples, renders invisible the killing of other family members. Child and elder victims are often overlooked in this pattern of violence; young survivors, bystanders and other family members also suffer loss of life (Scott et al., in Jaffe et al., 2020; Websdale, 2010). Each of these terms, in different ways, reflect a frame of analysis that separates the act of killing one’s partner from the act of killing one’s child and from the act of killing oneself, as if they are all separate incidents.

In this book, I use the terms “domestic homicide” and “family violence” to account for the many survivors and deceased victims of violence in intimate and domestic spaces. After spending decades of my life working with survivors of state and family violence, I no longer see any utility in using frameworks that do not account for the *complexity* of relations between and amongst survivors and victims of lethal family violence. If we accept that the violence in our homes is a microcosm of larger cycles of state violence, then we must use terms that broaden and open up our categories of analysis to account for this.

In this book, “woman” includes both cisgender and transgender women.

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There is a strong global movement to advocate for calling every homicide of a woman “femicide” and to track and compile data on the killing of women to account for the gendered dimensions of the crime (see UN Human Rights Office of the High Commissioner, 2021). Social media movements to #callitfemicide advocate for framing the homicide of every woman in the same way: a casualty of men’s patriarchal violence. Additionally, a sizable fraction of the research on femicide coming out of United Kingdom is rife with transmisogynist and transphobic hatred. It is extremely difficult to do feminist work on domestic homicide (especially in the United Kingdom and Canada) without coming into regular contact with openly transphobic researchers who often hold high-profile positions in public universities and a considerable amount of power and influence in the field. This needs to change.

Transphobia also represents a glaring problem when it comes to research design and methodology. Queer, trans and two-spirit people are overrepresented in high-risk abusive relationships and, unfortunately, in domestic homicides (National Center for Transgender Equality, 2015; Donovan and Barnes, 2020). Even though queer and trans people are overrepresented in statistics on intimate partner violence, there remains “widespread heteronormativity and cisnormativity” in the field (Donovan and Barnes, 2020). In fact, current research “suggests that the rate of domestic violence is equal or greater than in heterosexual relationships” (Rossiter et al., in Jaffe et al., 2020, p. 65) and that queer and trans people are at greater risk of homicide. Attention to femicide as a “women’s issue” does little to acknowledge the intersection of risk faced by queer and trans partners who experience severe relationship violence (Donovan and Barnes, 2020) and homicide.

Another methodological failure of data-tracking movements that simply count and compile data on the killing of *women* is that this approach often fails to account for how men’s involvement in the cycle of violence outside the home might impact their use of violence within their own family. It is well known that men are much more likely to be victims of homicide than women. The rationale for counting women’s deaths separately from those of men or gender nonconforming folks is “about underscoring that when women and girls are killed, it is in ways that are very distinct from the ways in which men and boys are killed and, therefore, prevention requires an approach that recognizes those differences” (Dawson, in Gerster, 2020).

However, in a carceral society that adopts a black and white, Eurocentric understanding of victim and perpetrator (Russo, 2018), links are rarely made between the killing of women and violence that is enacted upon men, consistently, in work, recreational and domestic spaces as children and youth. Advocacy movements that argue for gender-exclusionary or cisnormative language and frameworks are ill-equipped to provide useful data or perspectives that can inform *prevention*. If we don't understand family violence and domestic homicide in all its complexity, with deep commitments to intersectional dimensions of risk and danger, then we haven't learned much in the last fifty years.

Language is a slippery and tricky thing. I find myself most uncomfortable when using terms to refer to a person who kills, or tries to kill, their partner or children. If you call them a "killer," it is accurate. But it only carries with it one aspect of a person's identity. As an abolitionist, I believe in the power of healing and rehabilitation. I believe that by understanding the experiences of someone who has killed, we can best equip ourselves to heal our communities before tragedies occur. This is why I wince when calling someone a killer, even if they are, because they are, or were, more than that at some point in their life. In a carceral society, it is too easy to discard someone completely and ignore their capacity for change.

My own professional experience with policing and, later, in prisons, has peppered my subconscious with other terms, like "perpetrator" and "offender." These terms make me uncomfortable for other reasons. The professionalization of these terms within the legal system works to distance the person from the visceral act of killing. I often find myself using these terms, but it never feels right. It does not feel right to use terms that distance us from the material and bodily sensations that domestic killing sparks in us. I don't want to naturalize these tragedies or gloss over the graphic reality of the harm. In abolitionist writing, one might encounter the term "person who harms." This, too, never feels right to me. It feels gentle and encompassing to the person who has harmed. It also feels too gentle for describing the person who kills the people they are closest to.

At other times, specific to research on high-risk family violence, I use the term "intimate terrorist" or "coercive partner." These terms are specific to a particular body of work in domestic violence research. I hesitated to use the term "terrorist" as it is often deployed in racist ways that mobilize state violence against racialized people. But the strategic use of violence

to create an atmosphere of terror is exactly the type of state and intimate violence that I discuss in this book.

I have yet to resolve my feelings around which terms to use in discussions of killing and those who have killed. I feel that this discomfort comes from living in a carceral society that relies on binary categories of good/evil to avoid any sustained analysis or response to the *causes* of domestic violence. The violence I refer to in this book is almost unspeakable. How do we speak of it and the person who channelled it into the lives of their most vulnerable kin? I caution the reader to avoid taking up these terms in ways that make a neat and tidy box around a killer. These terms should not become labels that allow us to forget about or grieve the person that exists alongside, within and through the killing. We must grieve the person they could have been had they not become a killer.

Through the process of writing this book, I was forced to sit with my discomfort around the labels I used for those who harmed in deep and unspeakable ways. I encourage you, as the reader, to acknowledge, name and give space for any discomfort you might feel, too.

### **Feminist Abolition**

This book offers a feminist abolitionist perspective on domestic homicide. By abolition, I mean building a world without prisons or police.

Feminist movements against intimate partner and sexual violence in the United States and Canada are relatively new. In her keynote address at the Color of Violence Conference in 2000, Angela Davis (2000) acknowledged: “A little more than two decades ago, most people considered domestic violence to be a private concern and thus not a proper subject of public discourse or political intervention.” Early grassroots movements against patriarchal violence called for increased state support to protect victims from abusers who harmed, with impunity, in domestic spaces, which were traditionally considered private and not subject to regulation in the public sphere (Sheehy, 1999; Bumiller, 2008). Since the 1970s, feminist movements against family violence have been increasingly dominated by carceral approaches to social change. A carceral approach to family violence views policing, prosecution and punishment as the primary means of addressing intimate partner and sexual violence (Richie, 2012; Law, 2014; Schenwar and Law, 2020). Second-wave feminist organizing against intimate partner and sexual violence took aim at under-enforcement

of laws geared to protect women from violent partners (Kim, 2018; Law, 2014; Bumiller, 2008). In parts of the United States, advocates sued police departments for failing to protect victims of violence (Law, 2014) and, by the 1990s, the largest piece of crime legislation in the history of the United States signified a shift in how family violence would become part of an emerging “law and order” agenda (Bumiller, 2008).

The Violence Against Women Act, or VAWA, is often cited by predominantly white feminist movements as a win in the fight against intimate partner violence in the United States. The VAWA, a legal instrument designed to funnel resources into policing and imprisonment as the primary strategies for responding to family violence, was similar to other strategies employed by second-wave feminist movements to address under-enforcement of laws intended to protect women from violence. In Canada, the Royal Commission on the Status of Women was appointed in 1970 and identified problems with how the laws pertaining to family violence were written into the Criminal Code (Sheehy, 1999). In Canada, much like the United States, women’s movements “attempted to introduce formal equality by forcing police, prosecutors and judges to deal with wife assault as they would any other life-threatening harm. However, the demands made by the women’s movement have tended to be translated by the state in punitive terms rather than as a way to protect women’s lives and safety” (Sheehy, 1999, p. 65). During the 1970s and 1980s, the default solution to patriarchal family violence was to change laws by making sentences harsher and to funnel greater resources into police budgets to investigate and throw offenders in prison.

However, as Alexandra Natapoff (2006) points out, *under-enforcement* and *over-enforcement* are twin problems of a carceral system that excessively punishes Black, poor, disabled and disenfranchised communities and ignores their experiences with violence. Carceral feminism emerged as the dominant voice in organizing efforts against intimate partner violence through the rise of the “prison nation” in the late twentieth century (Richie, 2012). The prison nation reflects the “ideological and public policy shifts that have led to the increased criminalization of disenfranchised communities of color, more aggressive law enforcement strategies for norm-violating behavior, and an undermining of civil and human rights of marginalized groups” (Richie, 2012, p. 3). The new “tough on crime” rhetoric of the late 1980s and 1990s fostered increased collaboration between feminist

anti-violence organizers and police (Bumiller, 2008). Beth Richie argues that during this time, the “white feminist anti-violence movement was becoming more entrenched in an overly simplistic analysis that argued that gender inequality was the main factor that motivated violence against women—almost to the exclusion of other factors” (2012, p. 2). This analysis—that men are solely responsible for violence—does not acknowledge the ways in which violent forms of state-building, such as slavery and settler colonialism, have worked to normalize forms of violence and abuse. It absolves white feminists of a need to acknowledge their own complicity in systems of violence. White women in the anti-violence movement, who were less likely to be subjected to police violence or abuse at the hands of state agencies, aligned themselves with the same agencies that waged assaults on poor, racialized and underserved communities, creating a rift in the anti-violence movement. Richie (2012) and others (Davis, 2003; Kim, 2018; Russo, 2018; Kaba, 2020; Kaba, 2021) draw attention to the ways in which carceral feminism is complicit in the very systems it seeks to disrupt by relying on narrow frameworks to understand and address gender-based violence.

Fifty years after the emergence of pioneering movements against family violence, it is safe to say that a carceral approach has failed us. Carceral approaches to family violence do not keep us safer, and, in many cases, contact with police and the court system causes more violence for survivors, who often face mistreatment at the hands of police and prosecutors (Ryan et al., 2021). Incite! and Critical Resistance (2001) point out: “Law enforcement approaches to violence against women *may* deter some acts of violence in the short term. However, as an overall strategy for ending violence, criminalization has not worked.” Mandatory arrest laws, which force police to lay charges where warranted (regardless of consent from the survivor) have led to increased criminalization and incarceration of survivors (Law, 2014; Kaba, 2021; Ryan et al., 2021). This means that those who engage in self-defence to save their own lives or those of their children may face jail time (Kaba, 2021). Carceral feminism “conveniently ignores the anti-violence efforts and organizing by those who have always known that criminalized responses pose further threats rather than promises of safety” (Law, 2014). White feminist movements that are aligned with the same systems that abuse Black and Indigenous women betray the origins of feminist organizing. Black feminist organizers, through their experiences

with the state and its systems of violence and exploitation, inherently understand the failure of carceral approaches to ending violence.

This, of course, is a condensed version of how and why mainstream (read: white) feminism became complicit in the rise of the prison nation and systematically ignored the violence experienced by Black, Indigenous, queer, disabled, femme and gender nonconforming people, to the detriment of all our safety. For deep and sustained analysis on the relationship between anti-violence movements and the state and why an abolitionist perspective is key to ending gender-based violence, I invite the reader to close this book and, instead, open up the work of Angela Davis, Beth Richie, Michelle Alexander, Mimi Kim, Mariame Kaba, Ruthie Wilson Gilmore and Mia Mingus, among others. Organizations such as Incite!, Generation Five, Philly Stands Up and the Bay Area Transformative Justice Collective have crafted excellent analyses about the relationships between state and intimate violence and highlighted the role of the prison system in maintaining cycles of violence in the United States. For deep analysis on how racism and state violence have persisted in Canada, Robyn Maynard's work (2017) is a brilliant introduction to violent histories of anti-Blackness in settler Canada.

Canada is also a prison nation. Although the federal and provincial prison systems remain partially run through the public sector, many of the problems identified by Black abolitionist feminists in the United States exist in Canada. The globalization of anti-Black racism (Bashi, 2004) and expansion of neoliberal capitalism (Wacquant, 2009) have created similar forms of carceral violence in much of the Western world. In Canada and beyond, legal reforms have served as the official means with which to secure increased safety for survivors of family violence (Fraser, 2014), to the exclusion of Black, Indigenous and other racialized women and gender nonconforming people, who face increased violence and criminalization through contact with police (Abraham and Tastsoglou, 2016). Maynard traces the deep history of anti-Black racism in Canada, pointing to the way in which "Black women and other gender-oppressed people are not only over-policed, but are also enormously under-protected" (2017, p. 153). She highlights a history of racism in violence-against-women organizing in Canada, demonstrating how state funding and complicity with police and prison systems work to alienate Black women, who face high rates of both state and intimate partner violence.

Despite consistent support and funding for policing and punishment in Canada, rates of intimate partner and sexual violence remain high (Statistics Canada, 2014). Indigenous women are six times more likely to be victims of homicide than white women (Statistics Canada, 2014), and Black women continue to face elevated risks for both police (Maynard, 2017; Women's International League for Peace and Freedom, 2021) and intimate partner violence (James, 2007). Vicki Chartrand (2019) argues that the carceral system in Canada represents a continuation of colonial logics and practices that function to undermine the autonomy and sovereignty of Indigenous Peoples. Violence through contact with police and in the prison system is a continuation of historical settler violence that began with the first incarnation of what is now the RCMP (Gouldhawke, 2020). Police homicides account for an average of thirty deaths a year, with Black and Indigenous Peoples facing disproportionately high risks for homicide by police, and emerging data points to an increase in police-perpetrated homicides in Canada over the last twenty years (Singh, 2020). Montreal-based Third Eye Collective (n.d.) emphasize "that strategies designed to combat sexual and domestic violence must be linked to strategies that combat police violence, hate violence, as well as anti-Black, racist, colonial, and anti-immigrant violence that persists against our communities." Given the persistent failure of carceral feminism in Canada to meaningfully engage with those at highest risk for severe violence and death, through both intimate partner and state violence, a need for feminist abolitionist organizing on domestic and state-sanctioned homicide is clear.

### **Positionality/Complicity**

I am no stranger to policing. In 2001 I took my first real job, as a Victim Services counsellor in a city police unit. As part of this civilian unit, I responded on scene to offer crisis support and referrals to victims of domestic violence. I was the youngest person in the unit by at least a decade. I was also afraid of cops. The summer before I started in the unit, I saw at least half a dozen cops beat a skinny teenager and throw him into the back of a paddy wagon at an anti-globalization protest. I joined the Victim Services Unit to try to confront my fear of cops. It bothered me to think that survivors of sexual assault and family violence were exposed to police during times of intense vulnerability and crisis. I grew up outside of Toronto, and I remember how terrified my mom would be every time

she was stopped by an officer with 52 Division. I remember how her voice would tremble, how it felt like we were in danger every time an officer would approach our car. My childhood friends and their families felt the same way. I wanted to support victims of family violence. I didn't want cops to be the only ones who show up when someone had been harmed. My time with Victim Services served as my introduction to feminist politics and the complexities of family violence.

During my first summer at Victim Services, we launched a pilot program to reduce risks for intimate partner homicide. It was called the "high-risk protocol" for identifying and coordinating cases that appeared to be at high risk for homicide. I helped by filling out questionnaires designed to assess a woman's risk of being killed by her partner. Police in many jurisdictions continue to use versions of this questionnaire, based on the work of Jacqueline Campbell et al. (2003). If a survivor was deemed at high risk for homicide, their case was handled by a special coordinator, who took targeted measures to improve their safety. Risk factors for intimate partner homicide were well-known, even twenty years ago, and this program aimed to use statistical evidence to save lives. When there was police intervention for a "1049," or domestic violence call, we made contact in person or via the telephone to encourage the survivor to access safety resources. In cases with repeated violence, we tried to talk survivors into leaving their partner. This was wildly ineffective. Most, if not all, of the survivors I spoke with during my time at Victim Services did not want to end their relationship with their abuser.

Following my time in the Victim Services Unit, I began teaching in the federal prison system while I completed my PhD. I worked with offenders in the maximum security and structured living units of a women's prison and with men serving life sentences in a federal facility. We met regularly to chat, write poetry and share. Many of the prisoners I worked with over the course of several years in men's and women's prisons were convicted of domestic homicide.

After working with survivors and later perpetrators, I came to call myself a prison abolitionist. After handling multiple calls from the same home over and over again in policing, I knew how difficult it was to convince survivors to leave an abusive partner. After working in a prison system that was a barren wasteland with few rehabilitation programs specialized for intimate partner or sexual violence, I felt that the system was so deeply

implicated in a cycle of trauma that it often did more harm than good. Even if someone who was violent *wanted* to take accountability and be rehabilitated, the supports were just not there.

When a high school friend of mine killed his girlfriend in 2016,<sup>1</sup> I felt as if I was trembling at the edge of an enormous chasm. By that time, I had trained for fifteen years as a family violence and community safety “expert” and had spent years of my life learning from those who survived family violence and those who were locked up for killing the ones they loved. Just a couple of weeks before Kristin Johnston’s death, I had expressed to a mutual friend that Nick should contact a local men’s counselling program that specialized in domestic violence intervention. There was no history of violence in Kristin Johnston’s relationship with Nick Butcher—at least, not that we knew of. Still, I had a familiar and nagging feeling in my gut. He was deeply depressed and unemployed, and his relationship seemed to be on the rocks. His friends were worried about him. I suspected that he was a danger to himself *and* his partner.

My warning that Nick might be dangerous was swallowed up in the distance between those who understand that violence is the normative condition of our lives and those who believe that violence is perpetrated by stereotypical villains in places far from where we live and play. My suggestion to bring Nick to a program for intimate partner violence went unheard. Nick couldn’t be dangerous—he was just a regular guy. A friend. He was part of our circle. We aren’t people who dance with monsters. We are the good ones. I was, as was usually the case when I would raise a point deemed to be “too feminist,” dismissed.

As Ann Russo points out, we “tend to divide people into two distinct and rigidly defined subject positions—victim or perpetrator” (2018, p. 22) and place ourselves in the category of innocence. This binary thinking, pervasive within settler cultures that adopt the Eurocentric concept of the world as comprised of pairs of opposites, works to distance us from violence and to evade personal accountability for the ways we have been complicit in harm. This is true of racism, homophobia and misogyny and during instances of extreme violence, such as the killing of Kristin Johnston. The shock and surprise felt by those within her closest circles betrayed the truth of their complicity. Many had known that he was reading her private messages. His closest friend had joked with him about killing her dog as revenge for her suspected infidelity. His circle of male friends, who for decades had made

misogynistic jokes and quietly avoided discussing sexual assault and other forms of violence prevalent in their intimate social circles, all processed their grief and bewilderment as if the sky had fallen without warning.

But there are always warnings.

Feelings of shock, betrayal and surprise make sense if you believe that domestic homicide is a rare and random act rather than an all-too-common outcome in a settler culture whose very fabric is held together by coercive control, a desire to “possess” and market forces that “dispossess” us at every turn.

### **Healing Justice Has Always Been Here**

Abolitionists speak often of transformative justice (Kim, 2018). Transformative justice seeks to transform the conditions that made harm and violence possible. Mimi Kim points out: “Restoration implies the desire to return to such conditions, transformation requires moving beyond” (2018, p. 227). Restorative justice seeks to restore conditions that were altered by an act of violence or harm. Transformative justice heals the wounds that caused the harm in the first place.

Transformative justice has always been an Indigenous practice on the territory I call home. I live in Mi’kma’ki, the unceded territory of the Mi’kmaw People, a place once governed according to Mi’kmaw legal orders, which enacted justice in forms that pre-existed and continue to defy the carceral state my ancestors forcibly imposed upon this land. These concepts belong to the Indigenous worlds that continue to exist despite settler attempts at erasure and carceral state violence.

Practices of restorative justice, adopted from traditional Indigenous practices, have been co-opted and implemented within settler justice systems (Kim, 2018; Nocella, 2011). In much early Canadian abolitionist writing, the terms restorative justice and transformative justice are used interchangeably (Morris, 2000; Lockhart and Zammit, 2005). Movements for transformative and restorative justice often fail to acknowledge the Indigenous or diasporic origins of many of these practices (Withers, 2014). Aileen Moreton-Robinson (2015) writes of the “white possessive logic” that characterizes settler colonialism. This possessive logic of ownership emerges through practices of attribution and citation, which work as a “mechanism of settler-colonial erasure and possession of Indigenous knowledge[;] attribution is a technique of ownership in that it signifies an authorial relationship” (Andersen and Christen, 2019, p. 116). So, while

transformative justice is a central political commitment of this book, I want to assert that this concept is not my own and express a commitment to acknowledge its origins in the Nations that grant me continued access to their territory. Although it is beyond the scope of this book to explore the full origins of restorative justice and transformative justice and their relation to Indigenous justice systems and legal orders, I must acknowledge the role that settlers have historically played in ignoring the origins of Indigenous concepts and practices.

In white counter-cultural movements, there is a tradition of romanticizing and co-opting Indigenous customs (Hahn, 2014). This approach to engaging with Indigenous cultures, although it is often framed as progressive or “alternative” to mainstream values, constitutes a perpetuation of white supremacy and settler colonialism. Stereotypes of the “ecological native” (Gilio-Whitaker, 2017) in environmental justice movements or appropriation of Ayahuasca rituals and “shamanic” practices by settler “wellness gurus” (Amor, 2019), to give just two examples, demonstrate the pervasiveness of white supremacy in counter-cultural political movements. Abolitionist movements, specifically white anarchist social movements, have also participated in the theft and co-option of Indigenous forms of transformative justice (Withers, 2014).

Ruth Morris, a leading figure in the Quaker feminist movement in Canada, was a well-known advocate for prison abolition in the late twentieth century. Morris, credited with the origin of the term “transformative justice,” writes that the first step toward abolishing prisons and embracing transformative justice is taken by “going back to Indigenous cultures, which recognized the importance of a healing process that would strengthen the whole community, heal the victim, and find a way to reintegrate offenders” (2000, p. 113). While she acknowledges that these concepts are borrowed from Indigenous cultures, there are problems with how the possessive logic (Moreton-Robinson, 2015) of white supremacy continues to erase the origins of the practice. Attribution of the term “transformative justice” to Morris constitutes erasure of Indigenous Nations and a continuation of colonial practices that co-opt, de-politicize and claim authorship over Indigenous land and knowledge.

AJ Withers (2014) points out that casual reference to Indigenous origins of what many of us call “TJ” (transformative justice), or healing justice, imposes pan-Indigeneity on Indigenous communities, which is deeply

problematic because it ignores important cultural and political differences between Indigenous Nations. As Leah Lakshmi Piepzna-Samarasinha (Dixon and Piepzna-Samarasinha 2020) points out, there is a harmful tendency to assume that by practising forms of transformative justice within abolitionist movements, we can somehow reverse colonialism completely. As a settler and a writer who seeks to contribute to ongoing discussions about the need for transformative justice, I must commit to naming and acknowledging the ways that white supremacy operates through practices of citation. We cannot fix violence in our communities by stealing Indigenous concepts, claiming them as our own and reinstalling these practices inside our current colonial projects. We cannot return to a precolonial utopia. We must *transform*, rather than restore, our conditions.

We can build transformative cultures in allyship with Indigenous resurgence without co-opting Indigenous forms of healing justice. L'nu legal scholar Tuma Young writes on the need for a restoration of Indigenous language systems and stories to revive L'nu legal traditions:

Respectful examination of the worldview of the L'nu and other Indigenous peoples is a crucial step in the de-colonization process. Both the dominant and the oppressed culture need to heal from the devastating effects of racist imperialism. Such healing will prove elusive absent reclamation of the L'nuwey worldview and language. One key way to rebalance the relationship is to incorporate traditional L'nuwey legal principles into contemporary legal praxis and institution building. Such a radical and daunting shift will require deep changes in how knowledge and reality are constructed and experienced. (2016, p. 82)

Young is pointing out that we must address the wounds of colonialism by making space to repair and heal the cultural practices that have been under attack for hundreds of years. To heal from the effects of racist imperialism, L'nu worldviews, languages and practices must be restored. Without this step, we cannot collectively heal from the effects of colonialism.

The globalization of restorative justice principles by settler-state and non-governmental institutions demonstrates the way in which Indigenous healing principles have been selectively co-opted and de-politicized on a global level (Tauri, 2016; Withers, 2014). This is harmful not only because it signifies the ongoing erasure of Indigenous Peoples through colonialism

and the imposition of pan-Indigenous stereotypes on multiple nations and cultures, but also because it works to prevent Indigenous Nations from practising their own forms of justice. Indigenous Peoples continue to be disproportionately incarcerated despite inclusion of restorative justice practices in the legal system. In other words, “the extent of Indigenous influence in the design of specific Restorative Justice (RJ) programs has been greatly exaggerated” and “the inter-jurisdictional transfer of these programs has impeded the ability of Indigenous peoples to strive for a measure of self-determination in the Justice sphere” (Tauri, 2016, p. 46).

White-dominated social justice movements that seek to soften the effects of colonial violence and violent crime cannot possibly implement transformative healing practices in meaningful ways unless the worldview, values and cultural fabric of Indigenous communities remain intact. Furthermore, radical concepts and terminology from social movements are taken up by those with institutional power and white privilege, reduced to credentials that can be provided (for a fee) through de-politicized webinars or university classrooms. As Mariame Kaba points out, it’s important to strategize against “the RJ [restorative justice] thing, where everybody is now taking circle training, and, as a result of that, they think they know everything they need to know about RJ” (in Dixon and Piepzna-Samarasinha, 2020, pp. 207–28). We cannot reduce transformative justice to a set of credentials or dogmatic politics that ignore the origins of the concept or the de-colonizing commitments it requires of us.

As a settler living on un-ceded Mi’kmaw territory, it is my responsibility to carry these troubling settler histories with me and continually interrogate my own relation to Indigenous cultures and wisdom. In my attempts to radically imagine a world free of domestic homicide, I must acknowledge that practices of transformative and restorative justice that emerged in Canada in the 1980s through the work of Christian feminist abolitionists were *stolen* from Indigenous peoples. The possessive logic of white supremacy (Moreton-Robinson, 2015) facilitates this ongoing theft of Indigenous practices and traditions even in radical spaces.

As we fumble toward worlds beyond the destructive machinery of racial capitalism and settler colonialism, the labour of giving birth to a different kind of future is ours to bear. As settlers, we must stop the continued theft of land, resources and traditions from Indigenous Peoples and do the grinding, sometimes spirit-breaking, work of containing the harms that

colonialism has caused. We must do this while we imagine a new future, one that does not pretend colonialism never happened but actively builds cultures founded on principles of healing, trust and humility. White settlers who advocate for transformative justice and prison abolition must first question how and why the Indigenous legal orders have been expunged in their own territories and respect the sovereignty of the Nations we co-exist with. We cannot de-colonize by stealing selective pieces of Indigenous culture and inserting it—without attribution—into our visions of a just future.

### **On Whiteness, Violence and Abolition**

Abolitionist feminism was a lifeline for a much younger me who was drowning in the vicarious trauma of frontline anti-violence work, carrying my own weight as a survivor and navigating the frightening absurdity of a prison system that did little to empower survivors or heal those who harm in any meaningful way. I owe an enormous debt to the work of Black and Indigenous feminists, queer, trans and two-spirit femmes of colour, disabled and neuro-divergent organizers and survivors who have relentlessly, creatively and courageously brought movements for prison abolition and transformative justice into existence.

Prison abolition is, foremost, a Black movement.

I must acknowledge that I write about abolition, violence and transformation from a place of whiteness. When I turn to abolitionist work, I do so as a *student* of this movement. When I speak about prison abolition and the need for transformative justice, I utter language, histories and concepts that are not my own. Mariame Kaba (in Dixon and Piepzna-Samarasinha, 2020) urges us to “be humble as hell” when we step into imagining how transformative solutions might heal the harms of violence. My worldview—or “theoretical framework,” as I have been trained to say—relies heavily on Black feminist thinkers whose work on violence and the prison industrial complex has shaped my thinking, my values and the core arguments in this book. I benefit from white supremacy, which has afforded me an ability to move within liberal white feminist circles *and* radical communities. My whiteness is a passport in spaces where I have been compensated for my labour and where my time and perspective have been respected by those who have power within the carceral system.