Ray Morris  
What Is Transformative Justice?  

Ruth Morris, February, 2001, for A Call to Transformative Justice  

Transformative justice places the healing and empowerment of all those most affected by crime as its central goal. It includes victims, offenders, their families and friends, and the affected community. Transformative justice finds or creates safe settings where they can explore together the meaning of the crime, and the root causes behind it. In these creative processes, transformation takes place. Not only are victims and offenders both able to find new solutions, solutions that would not be possible without the synergy that comes when victims, offenders and community all work together; but also in that process old community wounds are healed, and new communities may be built, across chasms which formerly divided whole groups from one another.

Retributive justice and restorative justice both treat the present crime as the beginning of the problem, and for the most part, ignore the huge historical roots of injustice and the social inequities that underlie most acts defined as crimes by our present police-court process. Transformative justice recognizes the social context of crime. Thus it is more able than either of its predecessor systems to recognize the dominant impact of corporate crime, compared with street crime, despite the fact that our present justice systems deal almost exclusively with the latter. It is also more able to include in its analysis and in its processes the critical role that social class and race play in defining who is a victim and who is a criminal.

Because every truly transformative process exhumes a little bit of the pollution of racism and classism which form the contaminated soil of our unjust society, these processes are fundamental opportunities to create a more just society, as well as one with more healed and empowered individuals. Thus transformative justice is much more than just a better approach to crime which offers more satisfaction, healing and growth to victims, offenders and communities. It is a key tool which can offer us a way forward in the crisis of our times, when we need desperately to confront the widening gap between rich and poor, and the growing destructiveness which a greed ethic is bringing to this planet.

In my book, Penal Abolition, The Practical Choice, I included the following chart showing how the 3 systems differ:

Table I: Comparison of Three Justice Systems

<table>
<thead>
<tr>
<th>Type of System</th>
<th>Sees Crime As</th>
<th>Sees Problems Beginning</th>
<th>Goal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retributive Justice</td>
<td>A violation of the state</td>
<td>With the crime</td>
<td>Punishment, deterrence, protection &amp;</td>
</tr>
</tbody>
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Summing up, transformative justice is the spirit behind all true alternatives to retributive justice. Retributive justice widens existing power gaps in our society, but it also damages both victims and offenders in their quest for the power and dignity to heal their own situations. Court officials, police, and penal officials are all given inordinate power, so much so that the opportunity for victims and offenders even to tell their stories, let alone communicate with each other and seek mutually satisfying solutions, is completely lost. Transformative justice gives voices back to the community. At its best it enables victims to hear those magical healing words from offenders, "I did it, and I am sorry." Even at its worst, it enables both to understand more of the whys, and of the hows that can empower the whole community to learn from nature, and like the oyster, to turn an irritating sand grit into a pearl of beauty.

Ray Morris