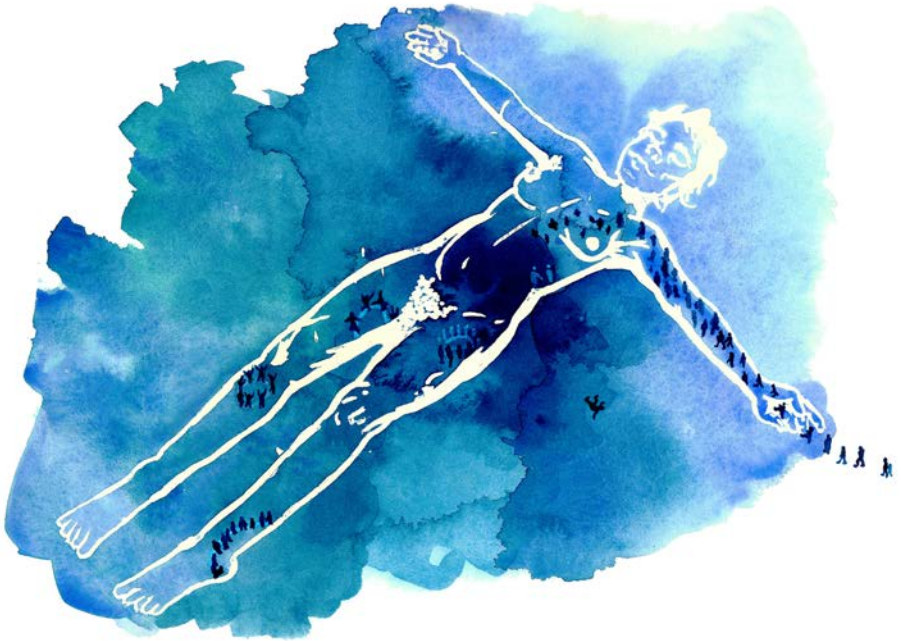


Justice

MARIAME KABA

ILLUSTRATION BY BIANCA DIAZ



The ocean is a special kind of blue-green and I'm standing on the shore watching a woman drown. My friends and family members are witnessing the same scene, or maybe it looks different to their eyes. They are grieving; I am not. I turn to my mother (who is a man) and whisper in his ear: "vengeance is not justice." And again "vengeance is not justice." I let the wind carry my words because human beings (even highly evolved ones) can't hear spirits.

I was sixteen when I died.

Darn, I did it again. I rushed to the end of the story before telling the beginning. I am one of those girls. You know what I mean; the kind of girl who eats dessert for dinner and reads the end of the book first. Everyone calls me impatient. Impatient should be my first name.

I love water and swimming. My father (who claims no gender) says that I must be descended from a fish and

not a person. Mama says that he should have named me Aqua. Everyone seems to want to call me by a different name than my actual one, which is Adila though my friends call me Addie.

I live in Small Place (SP). If someone asked me to describe the sights, sounds, and smells of home, I'd say that SP is very green. I mean you can smell the green and the salt water and you can hear the wind rustling through the trees. We're family in SP. No, we aren't all related but we trust and love each other. While arguments and conflicts happen, we always resolve them. My parents are SP's chief peace-holders. If you are wondering how one becomes a chief peace-holder, it's simple really. Anyone over twenty years old is eligible. Every five years, a representative group of SP residents gather to consider candidates. Peace-holders are not special or better than anyone else in SP. The only requirements are a desire to serve and a commitment to embody and hold true to our community values. Those values are revisited, reviewed, and sometimes revised annually. Peace-holders' primary responsibilities are to make sure that all of our conflicts are swiftly and peacefully addressed.

Once, I asked Mama why he thought that he was selected as a chief peace-holder. He looked at me for a moment and then said: "I was over twenty years old, willing to serve, and I never forget our common humanity." Mama said that I am good at holding others and myself in our humanity. I'm not sure what he means. I do know that everyone makes mistakes and that we all deserve a

chance to be held accountable for them so that we can do and be better next time. Maybe that's like my life philosophy or something. Anyway, what I love the most about living in SP is that we look out for one another; when one person in our community experiences harm, all of us are harmed. It's one of our most sacred and important values.

Though my parents are peace-holders, all of us are circle-keepers. We discuss all of our issues in circle. We celebrate in circle. We mourn in circle. Basically, circles are how we communicate and how we connect. Anyone in our community can call and keep a circle at any time and for any reason. There are no special skills to learn; all you need is to listen and to make space. All ages are included.

I mentioned that we're family in SP. We are a close-knit community but we often get visitors from other places. Last month, for example, a woman visited SP. She is a distant relative of our neighbors. She came from somewhere called Earth, which is very far indeed. There's nothing memorable about the Earth visitor (EV). Her hair is long and brown. She's pale like she doesn't spend a lot of time in the sun. The only thing that stood out is that she walked around SP carrying a knife in her purse. She said that it was in case she "ran into trouble." She added that on Earth, "women could never be too careful." I didn't understand what she meant. What kind of trouble would you need a knife for? And why would you be in more danger if you identified as a

woman? If anything happened, she could just call a circle and together we'd address the issue.

We never locked our doors in SP and our Earth visitor (EV) insisted that this was unsafe. "What if someone wants to steal something from the house or what if they want to hurt someone?" she asked. My mother told her that everything in our house was community property and could be used by anyone. There is no such thing as private property in SP so no one had reason to steal from anyone else when they could simply share what others had. Besides, everyone in SP had their basic needs of food, clothing, and shelter met. Health care and education are also freely provided to all members of the community. EV then asked my father if they were afraid for me and my siblings' safety. My father simply shook their head and went to the kitchen to make dinner. Daddy is not the talkative one in our family.

I was so confused by EV's questions that I kept the dictionary tab on my computer open. I looked up words that I didn't understand like "fear" and "stealing." I read the definition of "fear" as "an unpleasant emotion caused by the belief that someone or something is dangerous, likely to cause pain, or a threat." This definition led me to look up more words like "dangerous" and "threat." While I was searching the web, I found a story called a *folktale* about how people on Earth address conflict and harm. Basically, it goes something like this:

While swimming across a pond, Sis Goose was caught by Brer Fox, who in some versions of the story is a sheriff. A sheriff is a police officer in case you don't know. I had to look that up too. We have no police in SP. Anyway, Sis gets pissed off because she believes that she has the right to swim in the pond. After all, she's not bothering anyone. She's just minding her own business. So Sis decides to sue Brer Fox. But when the case gets to court, Sis Goose looks around and sees that besides the sheriff who is a fox, the judge is a fox, the prosecuting and defense attorneys are ones too and even the jury is comprised entirely of foxes. Sis Goose doesn't like her chances. Sure enough, at the end of the trial, Sis Goose is convicted and immediately executed. The jury, judge, sheriff, and the attorneys all picked at her bones, which seems even crueler. The moral of the story is: "When all the folks in the courthouse are foxes and you are just a common goose there isn't going to be much justice for you."

I worried about this place called Earth and decided that it must be a terrible place to breed such scared, mistrustful, and cruel people. I was glad to be living in SP and resolved to keep my distance from Earth.

At dinner, EV resumed her relentless questioning. She asked where all of the criminals were housed. When we stared blankly, she became agitated and yelled "the bad people, the bad people, where do you put them?" My mother said that there was no such thing as bad peo-

ple, only people who sometimes did a bad thing. Our visitor laughed bitterly. "Okay then," she said, "where do you put the people who do bad things?" Finally, I spoke up. "We don't put them anywhere because we all do bad things sometimes and through our relationships with each other we acknowledge the harm we've caused and then we do our best to try to repair it." EV looked at me like I had grown another head. "You have no prisons here, no jails?" "No," was our collective response. Then Mama asked: "How exactly do your prisons and jails address the needs of those who have experienced harm?" EV responded that jails and prisons offered accountability and punishment and that a strict justice system is especially important for women. My father asked if punishment was justice and added: "How do those who are locked in your prisons and jails heal? Are they improved by the experience?" That was their word limit for the day, I think.

Our ways and values were alien to EV and she was clearly disturbed by them. That night, I did some research about the punishment system on Earth and was shocked that the harmed person played almost no role in the process. The trials (I looked up that word too) were the State of Indiana v. the name of the person who caused harm. Also, it didn't seem like all of the "crimes" were necessarily very harmful or that all of the harms were considered "crimes." I read one story of a young girl who was raped and they actually blamed her for drinking too much at a party. The person responsible

for her pain didn't have to acknowledge the harm they caused or make amends. In SP, the entire community would have focused first on the needs of the young girl, then we would use circles to discuss what had happened and insist that the person who committed the harm take responsibility. They would be assigned several members of the community to support and guide them in completing the agreed-on restitution. I have to admit though that I had a hard time imagining such a thing as rape happening in our community.

One day after school, I went for a swim. I got naked and dived in the ocean. I was floating with my eyes closed while thinking about my friend Noliwe, which brought a smile to my face. Noliwe is my most favorite person in SP next to my parents and siblings. I was jolted out of my daydream when I heard someone approach. I opened my eyes and saw that EV was staring at me. She had a knife in her hand.

I was sixteen when I died.

I was killed by a visitor from a place called Earth who couldn't believe that there were no prisons in SP. Mine was the second murder ever in our community and it fell to my parents as chief peace-holders to ensure that the harm caused was addressed. For days, people across our community convened, communed, celebrated, and consoled each other in circle. There were talking circles, mourning circles, circles of support, and celebration circles. They happened at dawn, in midmorning, in the evening, and in the dead of night. For days, members of

SP told stories about my life through tears, anger, and laughter. There was, however, no talk of punishment or vengeance. Neither would bring me back.

After weeks of centering my family members and friends and of showering them with love, support, and food, the SP community turned its attention to my killer. EV was included in all of the previous circles and so she had experienced the community's outpouring of grief and loss. She heard stories about my life. She knew the extent of the pain felt by my community. After she killed me, she turned herself in to my parents. Her first words to them were: "Where will you put me?" They responded in unison: "In circle." And so it was that EV came to understand the impact of her actions on an entire community. And so it was that she experienced remorse for her actions and sought to make amends. And so it was that my community held EV in her humanity while seeking to hold her accountable for her actions.

The first murder that occurred in SP happened decades earlier. The ancestors created our Justice Ritual in response. After several days of mourning and celebrating the life of the person killed, the killer's life and actions are explored. In a series of circles, participants discuss why the violence happened, how it happened, and who was harmed. Community members are asked to stand in the shoes of the person who committed the harm, to consider the conditions that underlie their actions, and to examine their own roles in perpetuating those conditions. It was an acknowledgement that no

matter how hard we try to purge ourselves of emotions like jealousy, envy, and anger, they remain within us and can negatively impact our relationships. Remaining aware of this is important to maintaining peace.

When circles have been exhausted, the killer is taken to the ocean, tied up, and dropped into the water. This empathy ceremony takes place in front of the entire community. The immediate family members of the victim are given the option of saving the life of the killer or letting them drown. If the family saves the person's life, they are then required to take the place of the person killed within the community. They are expected to pay a debt for the life taken for however long the harmed parties deem necessary but they do so within the community, living as integrated members.

I saw my father motion to my mother. He nodded his head. EV was rescued from the ocean. When we hold each other in our humanity, what other outcome could there be? Vengeance is not justice.

I was sixteen when I died and my name was Adila, which means "justice."

Mariame Kaba is an organizer, educator, and writer living in Chicago. Her work focuses on ending violence, dismantling the prison industrial complex, transformative justice, and supporting youth leadership development. She is the founder and director of Project NIA, a grassroots organization with a vision to end youth incarceration.

Bianca Diaz is a Mexican American artist and educator living and working in Chicago. Using art and education as her tools, she strives to be instrumental in the collaborative creation of these communities.