


MUSING

But What about the Really Bad People? Anti-Carceral Feminism and Surviving Violence

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(Received 18 November 2024; revised 3 March 2025; accepted 10 March 2025)

Writing about gendered violence as a survivor

Feminist scholarship and advocacy in philosophy has gone far in demonstrating that the personal is, in fact, philosophical. Yet this fact doesn't always match up with the accepted norms, practices, and modes of engagement that dominate many professional settings. It's not a secret that many people who argue for the abolition of the prison industrial complex are themselves survivors of violence. Indeed, in their co-written book *No more police*, Mariame Kaba and Andrea Ritchie write, "We are prison industrial complex (PIC) abolitionists not only because our work and research show us that this is the clearest path to greater safety for our communities; we are also abolitionists because we are both survivors" (Kaba and Ritchie 2022).

They argue that the carceral system of prisons and policing fails survivors and ends up perpetuating rather than interrupting cycles of violence. And although survivors are by no means a monolithic group, many of us do not desire criminal punishment for the people who harmed us. Reasons for this might vary—some don't want to be retraumatized by a criminal process, others don't think punishment is the best way to prevent more violence. Others still might not have much of a choice in the matter, perhaps because police became involved without their even having to report, or because they know that a report would have little to no chance of resulting in charges in the first place. Perhaps they, like many survivors, didn't even describe what happened to them as rape (Wilson and Miller 2016).

I started writing about sexual violence because I experienced it, and I suspect I'm far from alone in that. But like many survivors whose stories don't match standard scripts about how sexual assault "really happens" I haven't always had the easiest time describing my experiences in those terms (Littleton and Axsom 2003). I might still be struggling with that if I hadn't, in the middle of an argument with a former partner, told him that his actions of a few days ago were in fact rape. So, in many ways my philosophical trajectory has been fundamentally shaped by a shouting match, where a man told me that he couldn't have hurt me the way I said he did because he knew he

wasn't a monster. And really, I knew that too. He wasn't a monster, and yet he raped me. I have spent much, and expect to spend much more, of my philosophical energy working through the "and yet" of that fact.

In the first piece I wrote about the subject, one of the generalized scenarios I discussed was an abstracted description of my own experience; the first time I presented the paper at a conference I was terrified that somehow, someone would try to tell me that it couldn't possibly have happened like that. Now, years later, that piece is the only article of mine that I semi-regularly assign to my own students. I typically assign it to introductory feminist philosophy classes, and much of the time when I do, at least one student tells me that they appreciated reading something that felt as though it validated their own experiences.

I started believing in the abolition of the prison-industrial complex (PIC) specifically as a survivor of violence, as a trained philosopher following the logic of my own arguments, and as someone who started to teach courses inside prisons. Prisons are places where incarcerated people are stripped of human complexity and seen only—or at least primarily—through the lens of their worst or most stigmatized actions. And I simply couldn't see anyone who had hurt me in that narrow way, because I knew them better than that.

Yet I find that when I give philosophical talks about prison abolition, many of the fears that I had when first speaking about gendered violence have been realized, if indirectly. I explicitly try to ground my work in the experiences of criminalized people and the realities of systems of prisons and policing that kill, injure, and cage large numbers of Indigenous and Black people, and do little for victims of violence, noting also that there is no neat division between people who are victimized by violence and people who perpetrate it. Yet I find that I am often heard as though I am giving abstract arguments about the nature of incarceration *a priori*, and that the scenarios under consideration are only thought experiments. But what seems like a necessity to me as a feminist philosopher—taking lived experience seriously—is also in many ways still a disciplinary anomaly. And it's noteworthy that many sources I draw from are criminalized people, Indigenous people, people of color, and women—categories of people who are often ignored or dismissed within the philosophical canon. For example, prominent abolitionist writers and activists like Angela Davis are rarely taught in philosophy classes—even though she had been a philosophy professor at UCLA before being fired by the Board of Regents.

The jarring disconnect between what I think I'm doing and how I seem to be heard is particularly noticeable when arguing against carceral feminism, or the idea that prisons and policing can be effectively used to further feminist goals like ending sexual violence (Bernstein 2007; Heiner and Tyson 2017; Emerick and Yap 2024). In presenting these kinds of arguments—especially in less formal settings like seminars—it's not unusual for me to be told that I don't understand how survivors really feel, or that if I were a survivor of violence, I'd change my mind. And while I don't hide the fact that I've experienced violence, the fact that it needs to be cited in such situations in order to challenge these background assumptions feels like an unwelcome extraction of testimony.¹

It's understandable, though, that many philosophy audience members would have the kinds of intuitions that carceral feminism relies on, for instance, that police and prisons are there for public safety. These ideas are, after all, ingrained in mainstream portrayals of these institutions. Now, people from marginalized or overpoliced communities will often experience the dissonance between those portrayals and the realities of policing and related carceral institutions, including the fact that policing is

often a source of violence rather than the solution to it (Meiners 2007; Stinson Sr. et al. 2014; Maynard 2017; Seigel 2018; Schenwar and Law 2020; Roberts 2022). But most academics don't come from such communities.

I don't want to overstate the case here, though, since community of origin certainly doesn't determine people's attitudes toward carceral institutions. And regardless of background, survivors are not a monolith, so it's important to note that some of them *do* want the people who harmed them to be criminally prosecuted. This could be out of a pure desire for punishment, but pressing charges against an assailant could also feel like the best choice amongst a range of unsatisfying options. Nevertheless, it is at least true that abolition is a proposal whose adoption would entail that some survivors of violence will not get what they want. But so is the status quo. The idea that genuine survivors of violence will want perpetrators to be punished seems just as dangerous as any assumption that dictates how "real survivors" feel or would act in the aftermath of harm. We might put it in the same category of rape myths as the assumption that "real survivors" must have tried to physically fight off their assailants: empirically false claims which result in many survivors who don't fit the profile being disbelieved. And this disbelief doesn't just have to be external—those of us who were hurt by loved ones, who didn't fight back with physical force, and who feel no desire for retributive justice, can easily doubt ourselves. The effects of these lines of questioning—at least their effects on me—have me leaving campus after talks, mentally reliving my experiences of violence and wondering if I'm a "real survivor" after all. But then again, if I'm not a "real survivor," neither are a lot of other people who would also prefer it if we attended more to healing than to caging.

Philosophical questions

Often when I give talks to general philosophy audiences about PIC abolition, I include a slide at the end of my presentation with the title "But I have questions." The question I raise on the audience's behalf is "But what about the [Really Bad People]?" where I note that probably what many of them intend to ask during the question period is some variation on that theme, where the Really Bad People might be rapists, murderers, or some other group of people who do a lot of harm. Philosophical training generally primes people to look for objections, and for any given theory, to think about how it might deal with the most pathological or extreme cases—to craft decisive and clever counterexamples showing that the theory is faulty.

Of course, philosophers aren't the only ones who want to know what abolitionists would do about rape and murder, or whether becoming an abolitionist means you can never call the police. Yet inquiry is fundamentally shaped by the questions we choose to address. Academics don't research every possible question, after all. Instead, we consider how best to frame our research questions given the tools we have at our disposal and the ends we have in mind, since these framings serve to orient our fields of study. For instance, if a central thing we care about is that trans people are treated well in a generally cis-centric society, then we might want to focus our research on understanding the nature of gendered oppression. Other lines of inquiry, like coming up with an adequate definition of the word "woman," might serve other instructive purposes but could only come at that central question indirectly. And it would be very understandable for someone who isn't particularly interested in demarcating who counts as a member of which gender category to say that "what is a woman" isn't and shouldn't be at the center of their research program.

The question I most want to address as a PIC abolitionist is how we as a society can best prevent and respond to harm. And it turns out that a narrow focus on the worst things that people might do to one another doesn't help us develop processes for dealing with the much more ordinary ways that we harm each other on a regular basis. So when I tell audiences that they might be wondering what abolitionists think we ought to do about the Really Bad People, I also tell them that a focus on this question is what leads us to a prison-industrial complex in the first place, instead of towards abolitionist alternatives. I quote Mariame Kaba, who purposefully does not answer the question of whether abolitionists say that people should never call the police, even in life-threatening situations. Instead, Kaba says, "Abolition does not center that question. Instead, abolition challenges us to ask 'Why do we have no other well-resourced options?' and pushes us to creatively consider how we can grow, build, and try other avenues to reduce harm" (2021, chap. 1). My hope is always that in directly confronting the question that might be on people's minds, I might prompt them to consider why this was the question they considered asking, and not an alternative one, like "How can we reduce and respond to harm?" After all, the questions we spend our time on as researchers will cumulatively shape the fields in which we work.

And yet I find so often that philosophical audiences resist being put off from the question they had wanted to ask. I have now seen a wide variety of ways that people can try to ask the question "But what about the really bad people" without using those particular words. This on its own might only be a frustrating display of philosophical stubbornness, except when the background implication is that I may not in fact have realized that there are genuinely bad people out there. If I did understand that, the objection sometimes runs, then I would also understand that this issue is in fact of paramount importance. Yet here again is a point where the relationship between personal experience and philosophical argument becomes complicated. Because while personal experience is philosophically informative and sometimes indispensable, a person's feelings in a particular situation don't constitute a philosophical argument all by themselves. My feelings tell me that not all survivors desire retribution, and in reading and conversation with others, I can learn that other people do. None of those feelings constitute an argument that retributive, restorative, or transformative justice will best serve us. In fact, when I have been badly hurt by someone else, what to do about the other person—what should happen to them, to our relationship if we have one, to others in our lives—easily is of paramount importance to me. But that doesn't mean focusing on that question is the best approach to achieving justice overall.

It's hard to live in the world we inhabit, pay attention to the injustices and atrocities that occur every day, and remain unaware that some people genuinely do harm each other in irreparable ways. And yet when I keep being told, as an abolitionist, and as someone who spends time in prisons with people who have hurt others in extremely serious ways (a fact that's at the forefront of my work) that I've neglected to consider the Really Bad People, it's hard to know what to do besides point at the world around us and the immense fact of suffering that prisons and policing either fail to prevent, exacerbate, or cause.² I don't think I've forgotten that people kill each other; instead I've read empirical literature that calls into question the idea that incarceration does anything to prevent it (Dölling et al. 2009; Petrich et al. 2021). And instead, I try to redirect philosophical audiences to questions that I hope might lead us in more productive directions.

But just as I don't want to say that it's *only* philosophers who seem think that I've forgotten about extreme violence when I argue that prisons aren't the best way to

prevent and deal with it, I don't want to say that it's *all* philosophers either. "What about the really bad people" isn't the only kind of response I get, but it's a strikingly common one. I've had conversations that felt genuinely productive with people who felt challenged by my request to ask a different question and tried to take that as a serious metaphilosophical move instead of a cheap way to avoid objections. But so many other times, we never get past the objection to address what I think are the much more interesting lines of inquiry, such as how to practice holding people accountable in non-retributive ways.³ So I wonder what else we might be missing as philosophers, by allowing some questions to dominate our fields, and what promising avenues of inquiry might be shut down because their proponents didn't begin with the question of how to deal with edge cases.

Detachment and taking arguments personally

Norms of philosophical argumentation often depend on a kind of detachment from the subject matter. Critical thinking classes teach students about informal fallacies, like *ad hominem* attacks, and reinforce the idea that we need to address the arguments themselves, not the people making them. But for many people working on philosophy in ways that begin with real-world issues, the arguments aren't really separable from who we are and the worlds we live in. Maybe this is why there's something so philosophically innocuous and yet personally jarring about being asked to consider sexual violence when arguing for PIC abolition. Carceral feminism might feel intuitive for some, in the ways that retribution can feel intuitive, but falls apart (or so I'd argue) in the details. At least that's how I came to reject it in the first place.

Moreover, it's not as though I think that the philosophical audiences to whom I'm speaking about PIC abolition consist of people who are themselves entirely detached from the issues. I'm sure plenty of people I've spoken to have lives minimally touched by violence, but certainly some of the people I speak to are survivors and are questioning me as survivors. My arguments about abolition are personal to them—it's just that they're also personal to me. Maybe there's something about occupying the position of a colloquium speaker or a philosophy instructor that makes it easy to read in a kind of personal detachment. This could just be the natural extension of standard disciplinary norms. Or maybe survivors are so used to people with a platform speaking over them, or assuming that they're not in the room, that it becomes an expectation that whoever's at the front of the room couldn't be taking a survivor's view seriously. Either way, it's an uneasy space to occupy.

At the end of the day, though, arguing for PIC abolition is going to remain a struggle, especially given how much the existence of prisons and policing is embedded in our social lives. And it's really not the kind of subject for which we can expect detached and impersonal arguments across the board. Most of us have harmed and done harm in our lives, and an abolitionist vision has deep implications for how we respond to and attempt to prevent such harms. So I'll keep expecting people to take my arguments personally—in fact I hope they do, because I want to be doing the kind of philosophy that people *can* take personally. I want to be doing the kind of philosophy that matters for how people live their lives. But then I also want my audiences to know that the arguments are, if anything, even more personal for me. That's not just because of a scholarly attachment to my own writing, but because all of my views about the existence of carceral systems are inevitably tested in my own feelings.

I think that when I was a kid, I was cruel to others in ways that they might have felt the impacts of for many years. I know that at least one person who hurt me very badly when I was young didn't think they had done anything wrong at the time, and has, as far as I know, grown up to be a caring person in loving relationships with others. I'm glad now that both of us had the chance to (I think) become better people as we aged. When I write about the idea that moral repair might take place even without the participation of the injured party, I'm thinking about that. When I write about the harms of incarceration, I'm also thinking about incarcerated people I know and care about. I'm also sometimes challenged in my abolitionist views when I think about people who gratuitously hurt others and don't seem to show any remorse for the damage they've done. But then I remember that not all such people are or will end up in prison, even under the system we have now. So at the end of the day, I write about and argue for an end to carceral systems, and for abolitionist alternatives that focus on preventing harm instead of caging people when they cause it. I write about it because I've experienced violence and I've done violence. And I don't just talk about it in spite of it being personal, I talk about it because it's personal, and hope others will do the same.

Acknowledgments. Thanks to Barrett Emerick, Chris Goto-Jones, and Tamara Humphrey for all of the constructive feedback and reassurances along the way. Thanks also to the *Hypatia* editorial team and two anonymous referees for their helpful suggestions for improvement.

Notes

- 1 Though this doesn't seem to rise to the level of coercively extracted speech in Rachel McKinney's (2016) sense, it's at the very least undesirable.
- 2 A few good entry points into abolitionist literature might be work by Angela Davis (2003), Mariame Kaba (2021), or El Jones (2022).
- 3 There are many complexities around what accountability can look like, and how it might end up replicating carceral dynamics. For example, see writing by Kai Cheng Thom (2019), adrienne maree brown (2020), and Clementine Morrihan (2020) on tensions and recommendations.

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