

# There Is No Abolition or Liberation without Disability Justice

Lydia X. Z. Brown

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**Lydia X. Z. Brown** is a community builder and organizer, writer, advocate, educator, strategist, lawyer, and cultural worker dreaming of Disability Justice and collective liberation. Their work focuses on addressing and ending interpersonal, structural, systemic, and institutional violence targeting disabled people at the margins of the margins—especially surveillance, criminalization, and incarceration at the intersections of disability, queerness, race, gender, faith, language, and nation.

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In Massachusetts, just south of Boston, there is an institution where so-called professionals subject disabled people to a form of “treatment” consisting of painful electric shock punishment from a patented device designed to be more powerful and painful than a police taser. This institution, the Judge Rotenberg Center (JRC), first opened in 1971 under a different name and, in the nearly half century since, has been responsible for at least six residents’ deaths, received condemnation from the United Nations, and spurred grassroots activism by people with disabilities internationally to shut it down and stop the shocks.

What many do not realize is that the JRC’s population is 90 percent people of color, and over 85 percent Black and Latinx—all of whom have intellectual, developmental, or psychosocial disabilities. The JRC accepts referrals from adult developmental disabilities services systems, local education agencies (as an out-of-district, and often out-of-state, alternative placement), and the juvenile criminal legal system—recently even from

Rikers Island in New York. That symbiosis is emblematic of the ways in which carceral spaces of all kinds operate in tandem. And the racial and disability dynamics of the place ought not go unnoticed and unnamed—as Talila Lewis has said, the intersection of disability and race is “the most dangerous that history has ever held.”<sup>1</sup>

And yet, for all its horrors, the JRC is not a singular institution. While it is the only disability institution known to use painful electric shock punishments, millions of disabled people across the United States languish in other institutions—group homes, nursing homes, psychiatric wards and hospitals, large-scale public and private residential institutions, jails, and prisons. And some live in institutions as small as a single person, because in the end, institutional/carceral violence is defined not by a particular place or program but by power—who has power and control, who exercises power and control *over others*, and who is denied and deprived of power while subjected to control. Mel Baggs and Cal Montgomery often write of the phenomenon of an “institution of one” and institutions that mimic community life—when a disabled person’s life and living space may appear to have all the trappings of freedom, but they are nonetheless institutionalized because of complete deprivation of control, autonomy, and the meaningful ability to exercise agency.<sup>2</sup>

Institutionalization and incarceration take many forms, and are constant, powerful forces in the lives of disabled people, especially those of us at the margins of the margins. I have a friend who lives in a large institution so far from where other people live that there is no reliable cell phone service. I have another friend who lives in their own place but for whom constant disruptions to their services—including outright denial of and refusal to provide care at all—keep threatening their ability to stay in control of their own life. I have another friend who has already survived decades in prison and may die there. I have another friend who chose to enter a disability institution at one point because the care they needed to survive outside an institution did not exist and was not available. I have another friend who has chosen intentionally to live houseless and in the streets.

We have conversations late into the night sometimes about what we will do if someone tries to file papers on us to have us committed or put under legal guardianship. Those of us who are disabled, sick, mad, neurodivergent, and self-advocates are all too familiar with the threats of incarceration and institutionalization in our lives. The possibility of institutionalization keeps people experiencing crisis suicidality from seeking support for very real fear that instead of receiving support and care, they will instead be carted (perhaps even in handcuffs, by police) to a hospital where they

will be detained anywhere from hours to weeks or months. Sometimes years.

Disabled people fear that our relatives—including, in many cases, abusive, toxic, and manipulative family of origin—will seek guardianship orders to deprive us of the legal right to make any decisions about our own lives. By deeming a person legally incapacitated due to mental disability, a judge can strip that person of legal recognition as a person—a more overt form of juridical violence. No one should live with the fear that they can be judicially deemed a nonperson, and that everyone around them will believe and accept this determination.

It is impossible to meaningfully or authentically discuss the violence of mass criminalization and mass incarceration without understanding the necessity of ableism in upholding carceral violence.<sup>3</sup> Policing and prisons rely on the perpetuation of ableism as a force of racialized capitalism, white supremacy, settler colonialism, and gender oppression. Disability Justice requires full abolition—decarceration and deinstitutionalization. Disability Justice demands an end to carcerality, punishment culture, and white supremacist and settler logics. We fight until all our people can get free.

Incarceration is an ableist and eugenicist practice and system, borne of the desire to contain, control, and manage those whose bodyminds are deemed defective, disordered, and deviant—socially undesirable, undeserving, unworthy. Ableism is *violence*, as a form of systemic, structural, and institutional oppression, that embeds notions of whose bodyminds are valuable, worthy, desirable, and *human*, and whose bodyminds are instead expendable, disposable, tolerable collateral damage, *inhuman*.

Incarceration targets marginalized people because of impoverishment, which is itself deprivation and exploitation by design under capitalism. Incarceration targets marginalized people because of perceived or imputed sexual deviance, stemming from white Western notions of appropriate and acceptable gender, sexuality, intimacy, and kinship structures. Incarceration targets marginalized people because of disability, whether through psychiatrization, imputation of feeble-mindedness, or incapacity. Incarceration targets marginalized people because of imputed criminality, which itself is always a fluid social construct defined by those who hold power, privilege, and resources. These categories elide clear boundaries and have always been deployed to infer one another's presence.

Disability Justice advocates, organizers, educators, community builders, and strategists have worked to catalog the enormity of ableist violence so pervasive in our society. Abolition is a natural extension of and kin to the work of Disability Justice. We recognize that prisons and institutions do

not keep us safe; they do not protect either the people outside them or the people in them.

We affirm that no one deserves the violence of incarceration, that there is no justification for enacting this form of violence on a person. Prison is not a response to violence. Prisons are in fact a form of violence in themselves. The belief that some people belong in prison is the belief that some people do in fact deserve to be subjected to violence, that some people are expendable and disposable after all, that some people are so awful that they ought not be treated as persons.

This carceral logic pervades even many otherwise radical spaces dedicated to the work of antioppression. Abolition asks—requires—us to imagine responses to violence and harm, both interpersonal and systemic, that are not rooted in punitive, carceral logics. Why is it that the only response most of us can imagine to acts of sexual violence, mass political violence, or genocide is imprisonment? The same reason that the immediate response from those with privilege to accusations of harm is to rush to a person's defense as *a good person*—that is, a person who does not deserve to be punished, to lose their home, their access to health care, their mental and emotional stability, because of what they have done. A forgiveness and compassion only ever extended to those with power, privilege, and resources, but one that belies that those with access to privilege already know that noncarceral responses to harm are possible.

Assholes should be fired from their jobs, for instance, and we as community members should work to protect and keep safe the people at risk of abuse and harm from people with patterns of abusive actions who show no signs of wishing to take accountability to undo harm. And being fired from a job or asked to leave a particular place of residence should not result in loss of access to health care, homelessness, or destitution. The response to this harm should not be the infliction of structural violences (as happens in our current world), but the removal of the person causing harm from the immediate situations or people who have been harmed and are at risk of being harmed (as must become the norm in the next world).

Abolition does not mean freedom *to* harm, after all. Abolition means freedom *from* harm. Abolition means a world in which we are *all* safer and freer from all forms of violence—physical, emotional, psychological, sexual, financial, epistemic. In which we can and do respond to harm in ways that care for and support the people who have been harmed, that honor communities' needs following harm, that address the root causes of harm, and that provide support for people who have harmed in taking accountability and learning to live, do, and be better. Abolition makes us safer and brings

us closer to justice. These are among the core principles of transformative justice praxis, which Mia Mingus and Leah Lakshmi Piepzna-Samarasinha outline forcefully and brilliantly.<sup>4</sup>

Disability Justice helps us imagine a world in which we may all experience care, support, rest, access, pleasure, and justice without precondition. One in which care is no longer synonymous with coercion as it so often is now for queer, trans, intersex, fat, disabled, poor, and negatively racialized people.<sup>5</sup> One in which it might become possible to witness, hold, and sustain multiple necessary truths about trauma, accountability, justice, and healing simultaneously.<sup>6</sup> One in which not only places like the JRC and all other sites of unspeakable violence are made history, but where we cultivate and sustain values and cultures that honor our wholeness, our worth, our magnificence, our *deservingness* of justice and love. Where we build networks, collectives, and systems to ensure that all of us receive the care and support we need, on our own terms. Where communities most directly impacted and targeted by violence define safety for ourselves. Where we constantly work on ourselves and with each other to reduce and minimize our capacities to harm, and maximize our capacities to do and live justly, in right relationship with one another, with our communities, and with the sacred earth around us. Where we leave nobody behind.

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## Notes

1. Talila A. Lewis, “Emmett Till and the Pervasive Erasure of Disability in Conversations about White Supremacy and Police Violence,” *Talila A. Lewis* (blog), January 28, 2017, <https://www.talilalewis.com/blog/emmett-till-disability-erasure>.

2. Mel Baggs, “The Problem Isn’t That We Need Institutions Back. The Problem Is We Haven’t Got as Far Away from Them as We Think We Have,” *Cussin’ and Discussin’* (blog), May 5, 2018, <https://cussinanddiscussin.wordpress.com/2018/05/05/the-problem-isnt-that-we-need-institutions-back-the-problem-is-we-havent-got-as-far-away-from-them-as-we-think-we-have/>; Cal Montgomery, “Disabled People in the Mist,” *Cal’s Blog*, October 10, 2020, <https://montgomerycal.wordpress.com/2020/10/10/disabled-people-in-the-mist/>.

3. Talila A. Lewis, “Disability Justice Is an Essential Part of Abolishing Police and Prisons,” *level*, October 7, 2020, <https://level.medium.com/disability-justice-is-an-essential-part-of-abolishing-police-and-prisons-2b4a019b5730>.

4. Mia Mingus, “Transformative Justice: A Brief Description,” *Leaving Evidence* (blog), January 9, 2019, <https://leavingevidence.wordpress.com/2019/01/09/transformative-justice-a-brief-description/>; Ejeris Dixon and Leah Lakshmi Piepzna-Samarasinha, *Beyond Survival: Strategies and Stories from the Transformative Justice Movement* (Chico, CA: AK Press, 2020).

5. Shain Neumeier, “For Your Own Good: Coercive Care in the Lives of Marginalized People,” Disability Intersectionality Summit at the NonProfit Center, Boston, Massachusetts, November 5, 2016, YouTube video, 27:49, <https://www.youtube.com/watch?v=r2FO1qJkCAU>.

6. Kai Cheng Thom, “What the Queer Community Should Have Told Us,” *Marvellous Grounds: Special Issue #2—Bodies as Archives: QTBIPOC Art and Performance in Toronto*, 2018, <http://marvellousgrounds.com/blog/original-poems-by-kai-cheng-thom/#poem3>.