

Solidarity Process Around Reports of Sexual Violence and Battering

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Introduction

The 2013 Solidarity Convention spent a considerable amount of time and energy on the issues raised by the draft of the document, *Solidarity Process Around Reports of Sexual Violence and Battering*, in both its initial form and in its first revision. There was also an intense email discussion. This is an issue of political significance and also an issue that is highly charged emotionally due to its place at the intersection of the personal and political and to the experiences many members and associates have had in a violent and misogynist sexist society.

The process of creating this document was sparked by several incidents, among them the situation in the British SWP where many members have publicly resigned [1] following repeated actions taken by the Central Committee to demean and silence survivors of gender violence and their allies while failing to hold aggressors, including leaders of the organization, accountable. In the aftermath of Occupy, traumatic events that occurred within encampments are now being widely discussed and debated [2]. Additionally, a situation in California has come to light in which the Progressive Labor Party closed ranks in defense of a leader who had raped a fellow movement activist and failed completely to support the survivor in the aftermath of the attack. We are also aware of situations within our own organization over the years that have been responded to in problematic and inconsistent ways. We deeply regret that these incidents have at times caused survivors, women, and LGBTQ people to feel unwelcome and unsafe in and around Solidarity. We recognize that, despite identification with feminist politics, there is a problem of gendered violence in many radical and socialist communities. With this in mind, we strive to ensure that feminist politics are not simply espoused, but rather internalized and practiced throughout our organization.

It is in this context that a group of volunteers, brought together by the leadership, began its work.

Our socialist and feminist politics dictate that we take an unwavering, principled stand against patriarchal behavior and gendered violence in our movement and that we make our organizational spaces safer and empowering for survivors and people who are disproportionately impacted by gendered violence, including women and LGBTQ people. To do otherwise would not only be morally and politically reprehensible but would cause fatal damage to our overall project. With this fundamental commitment as our guide, we undertook a 5 month process of study, self-education, reflection, debate, and writing with the goal of developing a formal procedure for dealing with rape, sexual harassment, domestic violence, and other forms of gendered violence in our organization. Nine days prior to our convention, we released a draft document, agreed to by most but not all of the drafting committee members. It was intended to be a starting point for our organization in responding to cases ranging from low intensity sexual harassment to rape and sexual assault. This document attempted to combine the best aspects of different approaches currently being practiced on the left, including “zero tolerance” which emphasizes expulsion of aggressors as a necessary step for creating safer spaces and community accountability which utilizes an individualized case-by-case process to meet the survivor’s needs and repair the harm. In response, there have been a number of debates over Facebook and over our listserv about the proposed processes, based primarily on a small (but not insignificant) part of the document that described a “continuum of sexual assault” and recommended organizational responses for each category of infraction.

In the ensuing debate, it became clear that the document did not adequately convey our fundamental support for survivors and for creating safer political and social spaces within our organization. Some of our comrades felt that the suggested policies would allow aggressors to get away with a “slap on the wrist.” In response, the document was revised to make expulsion mandatory in many cases and shift even more emphasis toward supporting survivors and away from rehabilitating aggressors as an organizational task. This is the version that was adopted provisionally at our convention, with the understanding that changes will be made in the policy as we learn more about these issues.

One important step forward outlined in this document is the establishment of the Commission on Gendered Violence, a 6 member body which will be responsible for evaluating and responding to cases, as well as coordinating member education on these issues. This will take the decision-making process out of branches and create more consistency throughout the organization. Although we have adopted an initial draft document, our work is far from done. This is a complex topic, one that people view through the prisms of their own varied life experiences. As in society as a whole, many members of our organization are survivors of sexual violence.

Moving forward, we strive to not only address the most egregious cases of gendered violence but also to transform the environment and culture within our organization by developing practices of intervening in the everyday instances of gendered harassment and sexist behavior. We seek to make our norms of behavior clearly known and to make Solidarity a place where such behavior is not tolerated. Our organization must be a comfortable place for all its members and contacts, be they people of color, young, old, differently-abled, male, female, queer, or straight. This document, which is already in the process of revision and elaboration, is an important step in this direction.

While this document focuses primarily on issues within our organization, we also want to take this opportunity to reaffirm our commitment to fighting gendered violence as a central part of our political project. Cultivating a feminist culture within our organization goes hand in hand with engaging in movements which challenge rape, sexual assault, domestic violence, trafficking, and state-sanctioned gender violence throughout the world. The process of writing this document has sparked new connections with organizations and individuals in the movement against gendered violence and we commit to building those relationships as we move forward.

Principles at Stake

Our socialist and feminist politics dictate that we take an unwavering, principled stand against patriarchal behavior and gendered violence in our movement and that we make our organizational spaces safer [3] and empowering for survivors and people who are disproportionately impacted by gendered violence, including women and LGBTQ people.

At the same time, our socialist and feminist politics dictate that we treat everyone involved in a case with these intensely, emotionally charged issues with humanity and dignity. We acknowledge that some individuals who commit gendered violence may be capable of making reparations and transforming their behavior. We understand that our organization may not be in a position to provide the resources to enable this, given our primary commitment to survivors and limited capacity.

We believe that bringing these principles into balance means managing a certain tension between them. This document and the proposals it contains seek to expand and codify the assumptions and procedures that govern our democratic norms of membership and our socialist-feminist internal culture.

Outline of this document:

I. Language and Working Definitions

II. Solidarity Process and Other Processes

III. Outline of Our Process

1. Guiding Precepts for Our Response

2. Supporting the Survivor

3. Begin by Listening

4. Evaluating Cases

5. The Aggressor's Status in the Organization during the Investigation

6. Accountability Plan

IV. Confidentiality of the Proceedings

1. During the Investigation Period

2. Keeping Confidentiality in the Accountability Plan

V. Providing Resources and Ensuring Uniformity across the Organization: A Commission on Gendered Violence

I. Language and Working Definitions

In this document, we attempt to vary the pronouns used to describe survivors (she, he, ze/hir, they) while still centering our analysis on the role of patriarchy in creating the conditions for sexual harassment, assault, and battery. [4] While the majority of survivors are women, we do not wish to

erase the experiences of gender non-confirming or male survivors. We acknowledge that women may also be aggressors in queer, bisexual, lesbian, or heterosexual relationships. We should not assume that when a woman is an aggressor, that the violence or abuse is less serious or less traumatizing. It is important to note that the rates of gendered violence in LGBTQ relationships are roughly equal to that of heterosexual relationships and similarly hidden from society. Thus, readers should be attentive to the fact that cases may involve situations and gender dynamics that do not necessarily match the most common narrative.

When someone brings forward a case of gendered violence, they are nearly always a survivor in some sense of the word. It is extremely rare for someone to completely fabricate a story of sexual assault or battering. Therefore, for the purposes of this document, even when we are discussing processes happening before an official determination has been made on a case, we will use the terms survivor (or occasionally victim) [5] and aggressor, rather than terms such as accused, accuser, or alleged. At the same time, we are committed to ensuring, as best we can, that the process is fair for all involved and that all parties have the opportunity to share their stories.

We will refer to the body investigating these cases as “the commission”—based on the motion passed at the 2013 Solidarity Convention. The commission will handle cases of sexual harassment, sexual assault, and battering. Here are some working definitions and concepts useful in understanding these issues, which may be overlapping, and should not be considered exclusive.

Sexual Abuse of Power: The essence of rape is the sexual abuse of power: an aggressor’s exploitation of dominance, influence, and control over a person in a subordinate position. This way of understanding sexual assault recognizes that, particularly in acquaintance rape, physical coercion can be non-existent or secondary to the aggressor’s ability to exploit their power, authority, or trust to obtain sex by intimidating the victim. When sexual abuse of power is central to the situation, the person often feels that there are no meaningful choices available, given their dependent position, other than to submit to unwanted sex.

Consent: [6] Consent is another concept that can be useful in understanding sexual assault. Consent is when one person agrees to an act of sexual behavior and consensual sexual activity is when all parties involved have actively communicated their agreement to an act of sexual behavior. Consent must be given for each new level of sexual activity—kissing, touching, penetration, etc. In order to be able to give consent, a person must have the option and ability to refuse consent without fearing consequences. Thus, a person who is severely intoxicated or unconscious cannot give consent. Pre-existing differences in power or authority between individuals can limit a person’s ability to provide consent. For example, a young, new activist may feel as though she does not have the option to refuse sex with the leader of a social movement organization.

Many of us have been educated in the mainstream culture which tells us that rape only happens after one person says “no” and the other person uses force or coercion to continue sexual activity. Feminist activists are working to change this narrow definition. We believe that rape can occur whenever partners do not actively communicate consent for each new level of sexual activity. We also respect the victim or survivor’s right to name rape, based on their experience.

Sexual harassment: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that creates a hostile environment. This can include, but is not limited to:

- Pressure for a dating, romantic or intimate relationship, sometimes coupled with threat for refusing.

- Unwelcome touching, kissing, hugging or massaging.
- Pressure for sexual activity.
- Unnecessary and unwelcome references to various parts of the body.
- Remarks about clothing, body, or activities that could be construed as sexual, either in appreciation or as a put-down.
- Belittling remarks about a person's gender or sexual orientation.
- Obscene gestures.
- Offensive sexual graffiti, pictures, or posters.
- Sexually explicit profanity.

Sexual assault: Sexual assault takes many forms including attacks such as rape or attempted rape, as well as any unwanted sexual contact or threats. A sexual assault occurs when someone touches any part of another person's body in a sexual way, even through clothes, without that person's consent.

Physical Battering: pattern of behavior used to establish power and control over another person through fear and intimidation, often including the threat or use of violence. Physical battering generally includes psychological or emotional battering.

Psychological/Emotional Battering: ongoing systematic pattern of psychological or emotional violence designed to control and subjugate an individual by destroying their sense of self-worth. This can include constant verbal abuse, harassment, excessive possessiveness, isolating the individual from friends and family, deprivation of physical and economic resources, and destruction of personal property. Psychological/emotional battering, absent other forms of assault, is an issue not fully addressed in this document. In cases of Psychological/Emotional Battering, incidents of this behavior can be directly observed by members in the public formal and informal spaces of our group. This requires careful thought about what formal processes would be triggered, particularly as regards the involvement and wishes of the victims. The Commission on Gendered Violence will take up this question in a more formal way as we learn more about how to address this type of battery within an organizational context.

II. Solidarity Process and Other Processes

What is our attitude toward the criminal (in)justice system? Solidarity members share critiques of the criminal (in)justice system, particularly with regard to its destructive impact on communities of color and working people.

Survivors may want to press legal charges against rapists and abusers. They may also, for various reasons (for example: immigration status, the role of police in communities of color, the terrible track record of the criminal justice system in dealing with rape and domestic violence, or concern for an aggressor) not want to press charges. We also recognize that there will be instances where it is not possible for the survivor to avoid calling on the police.

Organizationally, we take no position on whether a survivor should or should not press charges. This is a decision a survivor has to make, with the advice and solidarity of friends, family, loved ones,

allies, and comrades.

Sexual assault and other forms of gendered violence fundamentally take away a person's power. It is important that the process following sexual assault restores the survivor's agency and allows her to take responsibility for decisions like whether or not to go to the police. In addition, policies discouraging survivors to go to the police have a history on the left of being used to demean survivors, reinforce patriarchal norms, and cover up instances of sexual assault.

Whatever the survivor's decision, Solidarity needs an internal process for dealing with sexual violence and battering. Especially given our critique of the criminal (in)justice system, we believe it is imperative to have an alternative process that supports survivors and holds aggressors accountable. Gendered and sexual violence is part of a continuum of sexist aggression and patriarchal behaviors which not only harm individual survivors but which can create an organizational atmosphere which isolates and devalues women, and hampers our collective political participation. When such an atmosphere goes unchallenged or tacitly supported by members and leaders in an organization, it creates a situation where women are functionally second-class citizens and the organization as a whole rightly stands to lose legitimacy in the eyes of feminist and movement activists.

We also recognize that Solidarity may not have the resources or expertise to handle serious cases. But radical women of color organizations such as INCITE have been at the forefront of developing community-based accountability processes as an alternative to the police and courts. While recognizing that implementing alternatives is difficult and time-consuming, they also argue that alternatives are imperative. We are also of varying opinions about to what extent Solidarity, as a small, geographically disparate, voluntary organization can be thought of in terms parallel to these communities.

III. Outline of Our Process

Guiding Precepts for Our Response:

- Support for the Survivor—supporting the survivor should be a priority in this process. (See below section on supporting survivors.)
- Speed—we commit ourselves to responding immediately to an accusation and to dealing with it as quickly as possible. Dragging this out only re-victimizes the survivor. Our investigative process should be completed within a month.
- Transparency—the person bringing an accusation (non-members as well as members) and their supporters should know exactly what process will be implemented and should be kept informed as the process moves forward.
- Uniformity of process—all incidents will be handled according to the process outlined in this document, regardless of where they occur or the individuals involved. (See below section on organizational structure for responding to gendered violence.)
- Accountability—once the investigation is completed and if gendered violence is found to have taken place, we will hold the aggressor accountable for the harm caused to the survivor and our organization. We will also hold our organization accountable for meeting the needs of the survivor, to the best of our ability. Accountability plans can include suspension or termination of an aggressor's membership. We recognize that the organization's capacity to monitor and work with

aggressors is limited and accountability plans will have to take this capacity into account. (See below section on accountability plans.)

Supporting the Survivor:

As soon as a case of gendered violence is brought forward, our first concern is providing safety and support to the survivor. Through the entire process of investigation and accountability supporting the survivor must remain a priority. Too often, organizations focus all of their energy on responding to the aggressor while failing to offer meaningful support to the survivor.

1. Address immediate health and safety concerns. Offer to accompany the survivor to a clinic or hospital if the survivor deems it necessary (see Resources section below to find a local crisis center, and see here: [\[7\]](#)).

2. Validate the survivor's experience:

+ Use the tools of active listening (see details here [\[8\]](#)).

+ Try not to react with extremely strong emotions that could make the survivor feel guilty for upsetting you. Remain calm, and say something like "I am sad and angry that you were hurt."

* Allow the survivor time to 'name' what happened. Use the same words that s/he uses to describe what happened to her: rape, sexual assault, etc.

+ Do not ask repeated questions about the details of what happened. Your job is to support, not act as a prosecutor. At the same time, allow them to go into as much detail as they want.

+ Do not question or judge the survivor's actions during the assault. Questions like, "why didn't you fight back?" will only serve to make the survivor feel shamed or judged.

3. An important aspect of supporting a survivor is restoring agency and control. At the same time, recognize that survivors may be uncertain how to proceed, or unsure what they want from the accountability process. Supporters need to seek out the survivors' requests without pressuring them for immediate answers in a way that could negatively impact their healing process. One way to do this is by providing a series of suggestions that they can choose from.

4. Ask before giving the survivor a hug or holding her hand. Do not assume that physical intimacy will always be helpful for a survivor.

5. The survivor should not be forced to share spaces with the aggressor - the aggressor must be asked to leave spaces that the survivor has chosen to be in.

6. Help the survivor to identify a group of people to support her/him. Respect her wishes about whom to include or not include.

7. Explain the procedures developed within Solidarity to handle cases of interpersonal violence.

8. Emphasize that whether or not to involve the police is a decision entirely within the control of the survivor.

9. It is important for the survivor to direct her own healing process and to make her own decisions and mistakes along the way. Attempting to prevent the survivor from making what you perceive to be a bad decision encroaches on her rights and will likely impede the healing process.

Resources:

Finding a Local Crisis Center:

RAINN Local Crisis Center Search [\[9\]](#)

Guidelines on Supporting Survivors:

American University Wellness Center [\[10\]](#)

7 Ways to Help a Teen Survivor of Sexual Assault [\[11\]](#)

Supporting a Survivor of Sexual Assault

Rights of Survivors:

A Recovery Bill of Rights for Trauma Survivors [\[12\]](#)

Begin by Listening

The Commission will investigate an accusation through a process of careful listening in order to determine what has occurred. It is true that Solidarity does not have the time or expertise to carry out a criminal investigation. Still, we have a responsibility to survivors to determine, as best we can, what has happened so that we can craft a response that promotes the survivor's healing, holds aggressors accountable and ensures due process.

In evaluating claims of rape, other forms of sexual assault, sexual harassment, and partner violence, we start with the survivor's statement about what happened. The dominant society (from legal institutions to the media to many strands of popular culture) tends to ignore or trivialize survivors' stories, and it is important for a feminist organization to push back against that and maintain a presumption that survivors generally tell the truth. The notion of fabricated stories of rape / false accusations as a widespread phenomenon is a patriarchal myth.

In addition to listening to the survivor's story of what happened between her and the aggressor, the commission should check in with her at several points during the process about what s/he wants to see happen. In some cases, particularly given the effects of trauma and the pressure of speaking out in an emotionally charged, high-stakes political situation, a survivor's memory, interpretations, and/or wishes may vary over time.

We also ask the aggressor to provide an account of the situation and events, not to evaluate the "truthfulness" of the survivor's story but to gain a better understanding of what happened. Sometimes the same event can be experienced or interpreted differently by two different people, and both interpretations are necessary to understand the roots of the violence, determine how to hold the aggressor accountable and best support the survivor, and identify aspects of our organization that need to change in order to prevent future violence.

If there are other people whose interpretations may shed light on the events in question, we should listen to their stories too. The goal here is not quasi-legal, but to listen to the accounts and see where they are the same and where they vary, either in terms of facts or interpretations.

Evaluating Cases

Gendered violence occurs in different forms and at different levels of force/coercion/

intimidation—for example, sexual harassment and sexual assault both are expressions of our society's rape culture but the level of violation and the harm experienced by the survivor is different. Experiences of battering also run a gamut in terms of frequency, intensity of threat, and bodily harm. In researching past instances that Solidarity has encountered, we have seen this range and certainly think it is important to take these differences into account. For this reason we have developed descriptions of 3 groups of behaviors and some of the possible consequences for them. It is intended as a general guide to members of the Commission as they deal with and seek resolution of reported incidents of gendered violence on a case by case basis.

Guidelines for Responding to Gendered Harassment and Violence

All of the behaviors listed on these guidelines are completely unacceptable in our organization and we commit to responding promptly to support survivors and hold aggressors accountable. We recognize that there is a continuum between aspects of rape culture which are disgustingly ubiquitous in our society and on the left, and forms of sexual assault which constitute more severe violations of consent and/or abusive power relations. The intent of category 1 responses are to make our organizational spaces safer and to intervene in the everyday instances of rape culture in order to create an environment that helps prevent rape and sexual assault.

On Unwanted Touching: There is a spectrum of unwanted touching, from aggressive, persistent, or invasive actions that belong in category 3, to an unwanted attempt to escalate a mutually agreed to sexual situation which might belong in category 1 or 2, depending on the situation, to possibly incidental or flirtatious but unwanted light touching, which fits with category 1. We include a few brief descriptions of these behaviors in the categories below, but they are only examples of a much broader range of behavior that could be described as unwanted touch or groping. Rather than to spell out every possible context in advance, we leave it to the commission to examine the context of the incident and make a determination as to which category it best fits.

Category 1

Description:

- Verbal harassment
- Unwelcome pressure for sexual activity
- Unwelcome sexual advance
- Unwanted touching: possibly incidental or flirtatious but unwanted light touching over clothing

Response:

- Sanctions on participation in Solidarity events (such as; cannot attend Solidarity parties/socials, can only attend Solidarity social events with a designated check-in person, cannot drink at Solidarity events)
- Survivor has the option to request that aggressor must avoid activities that would bring him/her into contact with the survivor for up to 6 months
Suggestion to seek counseling for repeat or more severe incidents
- Reparations and behavior change: victim impact panels, formal apologies, victim-offender mediation, accountability circles

- Suspension of up to 2 months may be considered depending on the severity

Category 2

Description:

- Category 2 offenses do not involve physical force
- May involve a failure to get continuous active consent during all sexual activity, and before initiating each new level of sexual activity.
- Aggressor may take advantage of different levels of experience or social/organizational status, through dishonesty or disingenuous behavior, or other means
- Repeated or escalated incidents from category #1
- Behaviors may show elements of stalking
- Unwanted touching: brief but assertive unwanted touching of a sexual nature which ends upon request

Response:

- Suspension of up to one year should be considered, and expulsion may be appropriate for the more severe cases in this category
- Aggressor must avoid events and activities that would bring him/her into contact with the survivor (if so desired by the survivor)
- Sanctions in participation in Solidarity events (such as; cannot attend Solidarity socials, can only attend Solidarity social events with a designated check-in person, cannot drink at Solidarity events)
- Suggestion to seek counseling
- Reparations and behavior change: victim impact panels, victim-offender mediation, accountability circles

Category 3

Description:

- Aggressor may place the victim in fear of social, economic, or professional harm
- Aggressor exploits a situation in which the victim is under the influence of drugs / alcohol.
- Aggressor may use or threaten to use physical force, or otherwise causes the victim to fear for her safety
- Abuse of power or violation of consent
- Stalking which causes the victim to feel unsafe
- Physical abuse
- Any unwanted touching which is persistent, aggressive, or invasive

- When the victim names the assault as rape it will generally fall into this category.

Response:

- Expulsion is mandatory.
- Aggressor must avoid Solidarity events and activities, including public events.
- Aggressor is urged to seek counseling/ treatment
- When using the guidelines to determine the severity of a case and which category it falls into, there are a few precautions to remember. First, the victim's inability to say "No" or "Stop" during a sexual assault should not be used as evidence that a sexual assault did not occur, or as evidence that the sexual assault was less severe. Secondly, a testimony about the aggressor's character, such as "I know him and he wouldn't do that" should in no way be used as evidence that a sexual assault did not occur, or as evidence that the sexual assault was less severe.

We realize that most people are socialized in contradictory ways, in which some of our behaviors may reflect socialist and feminist commitments and others may reflect patriarchal norms of the broader society. Some aggressors' patriarchal behaviors may be (relatively) straightforward to unpack. These aggressors, when confronted with a critique of their behavior, will usually experience remorse, a desire to understand the survivor's interpretation of their behaviors, and an eagerness/willingness to change. Aggressors of this sort will be more likely to be capable of change through an organizational accountability process.

In other situations an aggressor might be resistant to organizational calls for accountability and walk away. Even then the invitation to an accountability process can still be worthwhile for the survivor and the rest of the organization.

We recognize that a significant percentage, or perhaps the majority, of sexual assaults are committed by men who are recidivists and/or have a deeper, psychological complex that leads them to engage in acts of sexual violence. In these cases, it is unlikely that our organization will be able to have an impact on the aggressor's behavior and our resources may be best spent on supporting the survivors and dealing with the tremendous level of harm done to our community.

The Aggressor's Status in the Organization During the Investigation

During the investigation, the aggressor should be suspended if the issue in question is sexual assault /rape OR if the aggressor is an imminent danger to the survivor or others; for other issues this will be at the discretion of the commission. In all cases, the aggressor is required to avoid contact with the survivor during the investigation.

In starting from the point of view of the survivor, we recognize that many may very well wish not to be around the person who has harmed them. Therefore we believe the aggressor should be asked to step back from activities that would put him in the same space as the survivor—both within the organization as well as in any other organizations—pending investigation. If not suspended, the aggressor's task is to remain part of the organization, participate in the investigation process and, if harm has occurred, to engage in the accountability plan that is created. Failure to participate in any aspect of this process will lead to expulsion.

Accountability Plan [13]

In the investigative phase of the process, the Commission listens to the accounts provided by the

survivor and aggressor. The next step in the process involves determining how the aggressor will be held accountable for his behavior and the harm done to the survivor, to Solidarity, and potentially to other social movement communities. It is also possible that during the investigation the Commission may determine that Solidarity as an organization needs to take responsibility for in some way ignoring or tolerating violence, or the conditions that led to violence. In the following, we focus on how Solidarity could organize accountability processes; many of these same guidelines could be implemented within social movement organizations as well.

We are using the concept of accountability as developed by INCITE Women of Color Against Violence. Accountability processes include a range of possible strategies and tools to achieve the goals below. These goals represent the ideals that we orient ourselves to, but we understand that what we can realistically achieve in each situation may be more limited.

- Create and affirm organizational VALUES AND PRACTICES that resist abuse and oppression and encourage safety, support, accountability, and empowerment of survivors, women, and LGBTQ people.
- Provide SAFETY AND SUPPORT to members who are violently targeted that RESPECTS THEIR SELF-DETERMINATION.
- Develop sustainable strategies to ADDRESS MEMBERS/SYMPATHIZERS' ABUSIVE BEHAVIOR, creating a process for them to account for their actions and transform their behavior.
- Commit to ongoing feminist education and development of all of our members, and the organization itself, to TRANSFORM THE POLITICAL CONDITIONS that reinforce oppression and violence.

Accountability plans should be tailored to fit specific situations, reflecting the nature of the offense, the needs and wishes of the survivor, practical constraints for a successful strategy, and other relevant factors. There is no “one-size-fits-all” model. On the other hand, we need to have some guidelines that maximize the safety and integrity of everyone involved.

While most of the accountability process will depend on the specific facts of the case and the requests of the survivor, we have also determined a few automatic consequences that should be implemented. Category 3 offenses will involve a mandatory expulsion. Non-cooperation with an accountability process will result in automatic expulsion. Otherwise, the consequences are up to the Commission, following the guidelines stated herein.

Guidelines for Developing and Implementing an Accountability Process [\[14\]](#)

1. Prioritize the self-determination of the survivor.

In deciding when, why, where, and how the aggressor will be held accountable, it is critical to take into account the survivor's vision. Survivors may want to lead and convey the plan to the aggressor, participate but not lead, or not be part of the process at all. For example, in some instances a survivor may want an apology from the aggressor and to have an opportunity for the aggressor to listen to and acknowledge the harm he has caused. In other instances, the survivor may not want to have any interaction with the aggressor. In that case, some other strategy would be used to confront the aggressor—for example, the aggressor might be required to meet with and listen to a group of survivors describe the consequences of the kind of violation that the aggressor has done. The aggressor might be asked to make an apology to that group or to write an apology to the survivor. In a battering situation, the survivor may ask that the aggressor leave their home, but continue paying his share of the rent or mortgage, so that ze can remain there. Whether or not they continue to be

involved personally and in what way depend on the survivor's wishes.

2. Recognize the humanity of everyone involved, including the survivor(s), the aggressor(s) and the community.

It is common to feel rage at the aggressor for assaulting another person and the accountability process should provide a space for the survivor and their supporters to express these emotions without judgment. At the same time, we should also keep in mind that making an aggressor into a monster can foster responses, such as physical violence against the aggressor, that are ultimately not helpful to the organization or to the people in it. While holding aggressors accountable, we need to be aware of problematic dynamics where the inevitable tensions of group life are temporarily overcome through uniting around punishing an offender, while failing to challenge the roots of violence within our organization and broader society.

Survivors should be allowed to be complex people. Many survivors feel mixed emotions about what happened and wonder about the part they played in the incident: they should be able to express these emotions and desires without judgment. At the same time, as a feminist organization, we want to help the survivor to stand up to the victim-blaming messages that are fundamentally part of rape culture. Responsibility lies with the aggressor.

3. Be clear and specific about accountability.

We believe that aggressors need to be held accountable for their acts and take responsibility for repairing the harm done in order for them to transform their behavior. The strategies we adopt will be shaped by what we understand about the incident, the survivor's needs, and the aggressor.

4. Set realistic and achievable goals.

One of the critiques that feminists have raised about accountability processes is that the organization ends up spending more time and energy on supporting the aggressor to change than in supporting the survivor. Although we are committed to holding ourselves and our members accountable, we also need to be practical and work within the limits of what we can reasonably do. For example, we may decide that we cannot sufficiently monitor and support an aggressor's engagement in our organization and its activities. In this case, a suspension may be the most appropriate and realistic response. We might ask that during that suspension, the aggressor meet regularly with some group of members to discuss how they are working toward self-change.

Wherever possible, it can be useful to enlist the aggressor's friends and/or family in carrying out the accountability strategies. They may be more motivated to invest time and effort supporting the aggressor to change and can lighten the burden of members who are working with the aggressor.

5. At the outset, establish consequences for an aggressor's failure to stay with the mandated accountability strategy.

Part of the accountability process includes an explicit stipulation of the consequences for not following up on what has been agreed to. The consequences for the aggressor will depend on the nature of the offense and on the assessment/recommendation of those responsible for supporting and monitoring the aggressor, but may include termination of membership. Refusal to cooperate with the accountability plan will result in automatic expulsion.

6. Use the accountability process to strengthen feminist theory and practice in our organization.

Throughout the accountability process, we will reflect on changes that can be made to strengthen the feminist culture within our organization and prevent future incidents of violence. We will look for the ways in which our organization and broader community may have ignored or permitted the conditions that led to the violence.

In the accountability plan, the aggressor will be asked to take steps to repair the damage done to both the survivor and the organization. For example, the aggressor might write a letter of apology to the organization, or help organize educationals for members on intervening in sexual harassment. As we understand more about how men who are members of an organization that asserts a socialist-feminist politics can nonetheless engage in gendered violence, we learn more about how to prevent such behavior in the future. This will strengthen our entire group.

IV. Confidentiality of the Proceedings

The commission overseeing the process will need to determine whether other Solidarity members or contacts will be informed that an investigation is taking place, and if so, how much information will be given out and at what time. After the investigation, the commission will need to decide who will be informed when a determination of harm has been made and when the aggressor enters an accountability process (which may or may not include termination of membership). These questions require consideration of several factors including:

- the safety of the survivor and others
- the survivor's wishes regarding confidentiality
- the degree of harm involved
- the due process rights of the aggressor
- the willingness of the aggressor to participate in the process
- the feasibility of maintaining confidentiality
- the age of those involved

Confidentiality during the investigation period

The Survivor's Identity

In all cases, the name of the survivor will not be shared by the commission with members or contacts unless specifically requested by the survivor. The survivor has control over how, when, and if s/he shares hir experience with others outside of the commission.

The Aggressor's Identity

During the investigatory period before a determination of harm has been made, only the Commission, PC, and the branch exec (if cases are based in a branch) should be informed. On a case-by-case basis, the Commission may decide to inform people who are interacting with the aggressor in social spaces. There may be cases in which other concerns make confidentiality unfeasible. For example, an aggressor may refuse to participate in the process and leave the organization. In this and similar situations, the commission may determine that the risk to others is such that members and/or contacts need to be informed.

If the commission asks the aggressor to step back from certain activities / or suspends the aggressor during the investigatory period, other comrades may have questions about the sudden absence. In this instance, it may be necessary for the commission to release a statement such as “Comrade X has temporarily taken a step back from organizational activities for confidential reasons,” or with more details depending on the situation.

Keeping confidentiality in the accountability plan.

After a determination of harm has been made about a case, the process then moves on to the accountability plan, which may or may not include suspension or termination of membership. In all cases, at minimum, the Commission, NC (just the PC for category 1 cases), and the branch exec for cases based in the branch, will be informed of the situation and the identity of the aggressor. As part of the accountability process, on a case-by-case basis, **the Commission may inform others who interact with the aggressor** (such as those involved in holding the aggressor accountable to agreed-upon sanctions and processes).

Specific to category 2 cases, as part of the accountability process, where appropriate, the aggressor should write a letter informing the rest of the branch (excluding the survivor’s identity).

Specific to category 3 cases, individuals who might be interacting with the aggressor in social spaces and local movement organizations with which the aggressor works should be informed of the situation and the aggressor’s identity, by the Commission. The Commission shall notify the PC of its decision and the PC should inform the entire Solidarity membership of the identity of the former member being expelled. There are several reasons for this policy. They include: 1) protecting future victims, 2) providing space for additional survivors to come forward, and 3) transparency.

Beyond the above guidelines, whether or not the incident and the aggressor’s identity are shared to members and contacts will depend on a number of factors, including the level of violence and harm as well as the ability of the group to protect others from victimization by this individual. Confidentiality may not be realistic if we want to create safer more empowering spaces for the survivor and for people who are disproportionately affected by gendered violence, including women and LGBTQ people. Safer spaces may require excluding the aggressor from events where the survivor will be present, disinviting the aggressor from social events involving alcohol, assigning a chaperon for such events, etc. Some of these strategies will require explanation and could inevitably lead to confidentiality being broken.

We also recognize that we lack the person power to fully monitor an aggressor. Furthermore, placing scarce resources of time and emotional energy into monitoring an aggressor inevitably takes time and emotional energy away from supporting the survivor and doing other work in the organization to make it a safer space for women and people of all genders.

There are a variety of ways to force the aggressor to confront the wrongs he has done that do not involve public shaming (e.g., “you can come to the parties, but you can’t drink,” “you need to take a step back from that project,” “you need to take a leave of absence” “and in some cases “your membership is terminated”).

In some cases the survivor may feel that a public admission from the organization is necessary. Our commitment to putting the survivor’s needs first requires that we take such a request seriously.

Of course the survivor has the right to tell anybody about what happened at any time and so is not bound by organizational confidentiality. Another question to consider about confidentiality is: what information is the survivor comfortable having revealed and to whom? Though there might be

exceptions, as a matter of policy, the commission needs to respect the survivor's wishes; the key is to ask. This is complicated to navigate, but it's something the commission will have to consider.

V. Providing Resources and Ensuring Uniformity Across the Organization: A Commission on Gendered Violence

We have established a Commission on Gendered Violence comprised of individuals who are knowledgeable about the issues of gendered violence, are familiar with accountability processes, and have skills relevant to conducting an investigation and developing an accountability plan in the specific context of our organization.

As soon as a case of gendered violence is brought forward at any level of the organization, members have the responsibility to notify the commission. If the situation is based in a branch, the branch will be expected to work closely with the commission: supporting the survivor, assisting the commission with the investigation, and helping to implement an accountability plan.

Electing a commission to carry out the investigation works to ensure objectivity, lack of favoritism, and due process across the organization. If a commission member has a close, personal friendship or political relationship with the aggressor, that member shall be asked to recuse herself/himself and the PC may appoint a replacement. We're a small organization, in which members are likely to have some relationship with each other, so members should exercise good judgment on this, in consultation with the PC.

We recognize that organizing a commission to handle the investigation will entail the expense of having some members go to the site and carry out an investigation. However we feel this issue is important enough to justify the expense.

A decision of the commission may be appealed, to the NC or to convention.

Constitution and Duties of a Commission on Gendered Violence

Motion: To elect a Commission on Gendered Violence composed of five members who are knowledgeable about issues of gendered violence and have skills relevant to conducting an investigation and developing an accountability plan. Women will comprise the majority of Commission members. At least one Commission member should be familiar with LGBTQ concerns. One member of the Feminist Commission should be elected by that body to serve on the Commission on Gendered Violence.

The Commission's goals are:

1. When instances of gendered violence arise in Solidarity, the commission responds to support the right of the survivor to remain active as a political person. The commission seeks to take action to support the survivor and hold the aggressor accountable for his actions.
2. To prevent instances of gendered violence in Solidarity and on the left by educational work around the issues of power dynamics and what constitutes consent.
3. To enable Solidarity, and social movements more broadly, to understand that gendered violence is rooted in a patriarchal system that has been woven into the fabric of capitalism.

The duties of the Commission are:

1. The commission will be immediately notified when an accusation is brought to the organization at any level. The commission will conduct the investigation. This procedure is necessary to insure that incidents are treated similarly across the organization. Where appropriate, the branch will be asked to support the survivor and participate in the accountability plan, if there is one.
2. The commission will make available to various units of Solidarity resources on interpersonal violence and sexual consent.
3. The commission will assist in organizing workshops, panels and educationals at Solidarity-sponsored events including summer schools.
4. The commission will report to the Political Committee as cases occur, will report disposition of cases that require an accountability process to the National Committee and issue a report prior to each Solidarity Convention, which shall be anonymous, except in the case of members expelled.

The Commission shall be elected at Solidarity conventions. If an elected member is unable to finish her/his term, the National Committee shall elect a replacement until the next convention.

Criteria for members being elected or appointed:

- Agreement with the principles adopted at the 2013 National Convention
- Commission members are expected to continue educating themselves on issues surrounding sexual violence within the movement.

P.S.

* <http://www.solidarity-us.org/site/sexualviolenceprocess>

Footnotes

[1] <http://internationalsocialismuk.blogspot.fr/2013/03/fao-central-committee-of-socialist.html>

[2] <http://persephonemagazine.com/2011/11/occupy-wall-street-how-about-we-occupy-rape-culture/>

[3] There's some literature that talks about creating "safer" spaces rather than "safe" spaces, since there's no such thing as a completely safe space and the illusion that any space could be made completely safe is one which can be considered as grounded in privilege. This term used particularly in women of color feminist influenced contexts. Our discussion has touched upon the question of honoring concerns about safety, comfort, and empowerment in a group space without reifying the question of safety or treating women as "weak creatures" who are constructed as being constrained by pervasive worries about safety.

[4] In our original document, we referred to survivors as "she" and aggressors as "he." However, many comrades let us know that this usage minimized the experiences of survivors from the LGBTQ communities.

[5] Some individuals prefer the term survivor to describe themselves while others feel that the term “victim” more accurately captures their experience. In individual cases we will always defer to the self-identification of the person who has been harmed.

[6] For more information on the concept of consent, visit Yes Means Yes: <http://www.yesmeansyes.com> or Consent Is Sexy: <http://www.consentissexy.net>.

[7] http://medic.wikia.com/wiki/Sexual_Assault_Disclosure

[8] [http://medic.wikia.com/wiki/Active_Listening_Skills_\(for_sexual_assault_survivor_support\)](http://medic.wikia.com/wiki/Active_Listening_Skills_(for_sexual_assault_survivor_support))

[9] <http://centers.rainn.org>

[10] <http://www.american.edu/ocl/wellness/sexual-assault-resources.cfm>

[11] <http://www.psychologytoday.com/blog/the-new-teen-age/201207/7-ways-help-teen-survivor-sexual-assault>

[12] <http://iambecauseweare.files.wordpress.com/2007/02/survivor-support-booklet1.pdf>

[13] In thinking about how Solidarity should respond to an act of gendered violence, some of us have been informed by the work of CARA (Communities Against Rape and Abuse). Their approach is described in an article, written by a collective of women of color from CARA, “Taking risks: implementing grassroots accountability strategies,” (published in *The Revolution Starts at Home*).

[14] We do not have the room here to layout piece by piece what an accountability process will look like. Instead, we will offer some guidelines and direct people who are interested in more to a toolkit developed by an Oakland-based organization called Creative Interventions, available here: <http://communityaccountability.wordpress.com/creative-interventions-toolkit/>.