

WORKING TOWARD A HORIZON OF INTERDEPENDENCE: AN ABOLITIONIST ETHOS FOR YOUTH DEFENDERS

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INTRODUCTION

This Essay is written both in honor of the youth defense community and for the youth defense community to offer a widened lens of how our work can fit into a broader strategy of abolition as we continue to evolve as a collective. This Essay is written from the perspective of the Gault Center, marking where we are in our emergent thinking and practice at this moment in time. In this offering, we remember “to keep a wide, long lens about our work. To remember, all of the time, that this moment is not the only moment,” as writer and activist adrienne maree brown teaches in her reflections on author and activist Grace Lee Boggs’s question: “What time is it on the clock of the world?”¹

As we embrace the possibilities of change in this moment, we dream of one day living in a world where every child is free to thrive—free to be, free to grow, free to play, free to explore, and free to make mistakes. A horizon where every child is given the opportunity to shape their own future in caring communities that center well-being and honor the weight of development. Yet today, we exist in a society where the freedom to thrive is elusive for many. Instead of equitably embracing a child’s adolescence, we have societal norms, stuck in a eugenics imagination, that divide up youth into categories of desirability and disposability.² Every time a child is marked as “disposable,” hanging in the balance is not only the child’s developmental potential, well-being, and future, but

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1. ADRIENNE MAREE BROWN, *LOVING CORRECTIONS* 144 (2024) [hereinafter BROWN, *LOVING CORRECTIONS*] (“‘What time is it on the clock of the world?’ My mentor Grace Lee Boggs used to ask this question all the time, to anyone who came to visit and learn with her, in any meeting she attended, in every speech she gave. She wanted us—her students, comrades, and community—to keep a wide, long lens about our work. To remember, all of the time, that this moment is not the only moment. Human development moves in these massive cycles and phases, and there are always agents of change who ideate and practice and push and grow those shifts.”).

2. See *infra* Part II.A; RUHA BENJAMIN, *IMAGINATION: A MANIFESTO* 49 (2024) (describing the “ubiquity of a *eugenics imagination*” and how “some lives are deemed desirable and others disposable” under a eugenics practice).

also our collective humanity and our interdependent futures. How we protect children's freedom to thrive matters, and youth defenders³ are an integral part of this continuum.

In this context, this Essay is an invitation for youth defenders to imagine beyond the status quo, dream as a form of resistance, and lean into the power of collectivity to create anew, both among youth defenders and alongside community and movement leaders. Youth defenders hold collective power to work toward a shared vision where children—across all races, identities, and disabilities—are free to thrive in communities of care.⁴ A world that is free from systems of control and a horizon where you, me, and the youth we serve can interdependently thrive.⁵ And the beauty of this vision is that it is already being built.⁶ Communities, organizations, and individuals are practicing abolition right now, and there is space for more to join in this practice to shape and co-create our collective future.⁷

3. For purposes of this Essay, the author defines youth defenders expansively to encompass lawyers, social workers, investigators, and other defense team members and advocates who contribute to legal representation in defense of youth who face arrest and prosecution.

4. See Naomi Murakawa, *Foreword to MARIAME KABA, WE DO THIS 'TILL WE FREE US: ABOLITIONIST ORGANIZING AND TRANSFORMING JUSTICE* xviii (2021) [hereinafter KABA, WE DO THIS 'TILL WE FREE US] (“[C]are is the antidote to violence.” (quoting Saidiya Hartman)).

5. See NORMA RYŪKŌ KAWELOKŪ WONG, *WHEN NO THING WORKS: A ZEN AND INDIGENOUS PERSPECTIVE ON RESILIENCE, SHARED PURPOSE, AND LEADERSHIP IN THE TIMEPLACE OF COLLAPSE* 67 (2024) (“If our meta purpose is to make the leap beyond this fraught moment in order to implement into a world that thrives, then at the very least we need a word (or a small set of words no sturdier than a sentence fragment) that captures the intent and energy of this meta purpose. If it is to be one word, I choose ‘thriving.’ If it is to be a small set of words no sturdier than a sentence fragment, I choose ‘interdependent thriving.’ ‘Interdependent thriving’ describes and answers the question of: Why do I do what I do? I do what I do to move ever closer to a world that lives in interdependent thriving.”); RACHEL HERZING & JUSTIN PICHÉ, *HOW TO ABOLISH PRISONS: LESSONS FROM THE MOVEMENT AGAINST IMPRISONMENT* 155, 164 (2024) (“Understanding this struggle as unfinished helps us see the ways that the fight for prison abolition is about a movement toward a horizon, rather than a specific sociopolitical blueprint. . . . This is a vision not just for a world without prisons, but for a world without systems of control.”).

6. Examples of organizations practicing abolition in the youth justice space include Connecticut Justice Alliance, Fully Liberated Youth (Colorado), Progeny (Kansas), YEAH Philly (Pennsylvania), and Youth First (national). These organizations lean into the power of youth leaders and the power of communities to lift up decarceral strategies and community-based models of healing and accountability. See, e.g., CONN. JUV. JUST. ALL., <https://ctja.org/> [<https://perma.cc/6HDA-RJD7>] (last visited Apr. 11, 2026); FULLY LIBERATED YOUTH, <https://fullyliberatedyouth.org/> [<https://perma.cc/M88K-4BRJ>] (last visited Apr. 11, 2026); *About Us*, PROGENY, <https://www.progenyks.com/> [<https://perma.cc/9DV8-WXP7>] (last visited Apr. 11, 2026); *About*, YEAH PHILLY, <https://yeahphilly.org/about/> [<https://perma.cc/CSR8-NEDH>] (last visited Apr. 11, 2026); *Who We Are*, YOUTH FIRST JUST. COLLABORATIVE, <https://www.nokidsinprison.org/who-we-are/> [<https://perma.cc/DKW9-XSRH>] (last visited Apr. 11, 2026); see also HERZING & PICHÉ, *supra* note 5, at 17–18 (highlighting groups actively practicing and creating an abolitionist future, including Black and Pink, Chicago Community Bond Fund, Critical Resistance, Dignidad Rebelde, Justice Now, and Survived and Punished).

7. See HERZING & PICHÉ, *supra* note 5, at 84 (“Having ways for people to contribute to prison abolition when they are not in a position to dedicate significant time toward the struggle, even in small ways, is an important tactic to build organizational capacity, grow a broad base of support, and chip away at imprisonment.”); Tamara K. Nopper, *Editor’s Introduction to KABA, WE DO THIS ‘TILL WE FREE US*, *supra* note 4, at xxv–vi (“What we see in Mariame’s responses is her desire to bring as many people to the movement as possible. As Toni Cade Bambara wrote of emerging writers, Mariame expresses of people participating in abolitionist work: they ‘have to be given space to breathe and stumble. They have to be given time to develop and reveal what they can do. . . . There are no soloists after all; this is group improvisation.’” (omission in original)).

I. OVERVIEW

This Essay explores what an abolitionist ethos for youth defenders could look like. Starting with the concept of ethos as a dwelling place for our being,⁸ this Essay offers five entry points for youth defenders to *practice* abolition. For purposes of this Essay, we embrace an expansive and evolving definition of the term “abolition” that calls us to move closer to an interdependent humanity that has space for *everyone* to thrive.⁹ With that in mind, we hold an abolitionist ethos to look like embracing a future of interdependent thriving into our very being so that it shapes our decisions and our day-to-day practice in a way that allows us to move humanity closer to our envisioned and collective future.¹⁰

There are five entry points for youth defenders offered in this Essay: (1) embrace a shared vision that points toward a horizon of interdependent thriving where all children are free to grow in communities of care, (2) reckon with the juvenile legal system’s lineage of racialized social control and the need to shift power to communities, (3) commit to a transformation within ourselves, (4) engage in collective action toward a shared vision of interdependence, and (5) courageously experiment with change.

These five steps are not new concepts. They reflect ideas that have been in conversation for generations, especially in Indigenous spaces, and more recently in abolition and emergent strategy teachings.¹¹ This Essay aims to apply these teachings to the role of youth defenders and ultimately is an invitation to *come with*¹² and *practice* in community.¹³ This Essay is also a reflection of the evolutionary culmination of what the Gault Center has been working to practice for nearly three decades in organizing youth defenders to transform the juvenile legal system.¹⁴ This Essay marks where we are in this

8. See *infra* Part I.A.

9. See *infra* Part I.A and note 28.

10. See RUTH WILSON GILMORE, *What Is To Be Done?*, 63 AM. Q. 245, 258 (2011), reprinted in ABOLITION GEOGRAPHY: ESSAYS TOWARDS LIBERATION 25, 42 (Brenna Bhandar & Alberto Toscano eds., 2022) (“Abolition is a totality and it is ontological.”); WONG, *supra* note 5, at 67 (“I do what I do to move ever closer to a world that lives in interdependent thriving.”).

11. See ANDREA J. RITCHIE, PRACTICING NEW WORLDS: ABOLITION AND EMERGENT STRATEGIES 66 (2023) (“These principles and practices—often decontextualized from their roots in Indigenous peoples and communities—are reflected in multiple explorations of emergent strategies, as well as in visions for abolitionist organizing. . . . In looking to and honoring the ways that emergent strategies are reflected in Indigenous cultures, we must be careful not to engage in re-colonization or call for a return to an idealized state of being but heed the lessons that can help us to chart bold, new abolitionist futures.”).

12. WONG, *supra* note 5, at 70 (“Inviting folks to join in and be a part of is the spirit of the ‘come with’ navigational practices. This is more than an allyship. It has the flavor and feel of a well-organized potluck in which fun and work are shared.”).

13. See GRACE LEE BOGGS & SCOTT KURASHIGE, THE NEXT AMERICAN REVOLUTION: SUSTAINABLE ACTIVISM FOR THE TWENTY-FIRST CENTURY 131 (2012) (“Our diversity is the source of our strength. We are not aiming simply to impact one election or one government. Rather, we are striving for long-term and sustainable transformation, and for that we need the wisdom that comes from many cultures, movements, and traditions.”); BROWN, LOVING CORRECTIONS, *supra* note 1, at 130 (“We dream of abolition but to make it real we must understand that every relationship with other people, or with the land we are on, is practice ground. And we need each of these places to practice toward a viable, embodied accountability, one we can rely on under pressure.”).

14. The Gault Center is a national organization that supports a community of youth defenders to fight for the liberation of all youth from systems of harm and punishment. *About: Mission, Vision, Guiding Principles*,

moment, in our continuum of time; holding an openness to the transformative and emergent possibilities that await in the unknown.

In the exploration of an abolitionist ethos for youth defenders, we begin with the idea that we live in a world of interconnected systems—a world where “everybody and everything is interdependent” as writer and civil rights leader James Baldwin describes.¹⁵ In fact, scientist and systems thinker Donella H. Meadows teaches us that “[t]here are no separate systems. The world is a continuum.”¹⁶ When we see that we exist in a continuum of systems, or within a global system as opposed to individual siloes, we settle into the reality that our everyday actions matter because they shape the “unbroken whole[]” of systems in one way or another.¹⁷ Meaning, our actions, at any given moment, are either flowing in the direction of division and oppression or toward wholeness and the evolution of humanity.¹⁸ As we begin to see how we are moving along this continuum where everyone and everything is interwoven, we settle into knowing that each of us will shape our collective future—a future where nothing is inevitable and possibilities are abundant.¹⁹

THE GAULT CTR., <https://www.defendyourrights.org/about/mission-vision-guiding-principles/> [<https://perma.cc/KDK4-6ERX>] (last visited Apr. 11, 2026). As part of the Gault Center’s youth defense system transformation initiative, the Gault Center organizes with youth defenders from across the country to engage in collective action to disrupt the juvenile legal system from the inside by asserting the constitutional rights of youth, tracking and raising systemic injustices, and partnering with community leaders to shift power from the courts to young people and communities. See *Youth Defense System Transformation*, THE GAULT CTR., <https://www.defendyourrights.org/initiatives/youth-defense-system-transformation/> [<https://perma.cc/2UB3-2V3X>] (last visited Apr. 11, 2026).

15. RITCHIE, *supra* note 11, at 137 (quoting James Baldwin, Speech at the National Press Club (Dec. 10, 1986)); see also DONELLA H. MEADOWS, THINKING IN SYSTEMS: A PRIMER 2 (Diana Wright ed., 2008) (“A system is a set of things—people, cells, molecules, or whatever—interconnected in such a way that they produce their own pattern of behavior over time.”).

16. MEADOWS, *supra* note 15, at 97.

17. See MARGARET J. WHEATLEY, LEADERSHIP AND THE NEW SCIENCE: DISCOVERING ORDER IN A CHAOTIC WORLD 45 (2d ed. 1999) (“[C]hanges in small places also affect the global system, not through incrementalism, but because every small system participates in an unbroken wholeness.”).

18. See, e.g., MICHELLE CASSANDRA JOHNSON & AMY BURTAINE, THE WISDOM OF THE HIVE: WHAT HONEYBEES CAN TEACH US ABOUT COLLECTIVE WELLBEING 73 (2025) (“For example, when I am feeling overwhelmed, fatigued, and at a loss about what to do in response to the suffering in the world, I tend to sink into feelings of apathy or complacency, which lessen my chances of disrupting the status quo. Without me even realizing it, when I keep myself in this cycle, I am upholding toxic systems that aim to keep me in a persistent state of imbalance, disarray, disorganization, and suffering. This makes it difficult to heal, but the intent of toxic systems was never about healing; they were put in place to train us to believe we are broken and to teach us to turn our back on our inherent wholeness and humanity.”).

19. See Donaldo Macedo, *Introduction* to PAULO FREIRE, PEDAGOGY OF THE OPPRESSED 11 (Myra Bergman Ramos trans., Bloomsbury Acad. 50th anniversary ed. 2018) (“In contrast to the idea that society has reached the end point of its evolution, thus emptying history of its meaning, [Philosopher Paulo] Freire always viewed historical awareness as an ongoing condition for human betterment, opening up the possibility of a better future when ‘recognizing that History is time filled with possibility and not inexorably determined—that the future is problematic and not already decided, fatalistically.’”); MEADOWS, *supra* note 15, at 177 (“No one can define or measure justice, democracy, security, freedom, truth, or love. . . . But if no one speaks up for them, if systems aren’t designed to produce them, if we don’t speak about them and point toward their presence or absence, they will cease to exist.”); WONG, *supra* note 5, at 79–80 (“ H_u is the Human Quotient. Who we are matters. . . . It is the H_u that will determine whether we—the human race—will make it fruitfully to the other side of this fraught and fought timeplace.”).

It is in this context that we must pay attention to our ethos. The concept of ethos fundamentally speaks to our being; it is, in essence, our character that shapes how we make decisions, live on a day-to-day basis, and move toward our potential.²⁰ While ethos includes the concept of an ethic, a set of moral principles, it expands beyond morality; it is the “dwelling place” of our being.²¹ It is through our ethos that we come into awareness of how we are shaping change.²² Our ethos will either drive us to a place of *complicity* for injustice or toward the *creation* of justice in our continuum of humanity. As visionary science fiction writer Octavia Butler describes, “No one can stop Change, but we all shape Change whether we mean to or not.”²³

An abolitionist ethos, then, means integrating both the vision and practice of abolition into our being so that it shapes our decisions and our day-to-day practice and allowing abolition to move our being toward our potential and collective future.²⁴ As a youth defender, this manifests in every decision—from how we interview clients, engage with families, and tell our clients’ stories, to what motions we file and what legal arguments we make—which is driven by a commitment to uphold abolition in our everyday practice. It also means that in this process we connect with ourselves and engage in internal transformation so that we have abundant space to connect relationally with others with the goal of collectively building and experimenting toward a shared horizon of interdependent thriving.²⁵

II. FIVE ENTRY POINTS TO DISMANTLE THE JUVENILE LEGAL SYSTEM AND TO BUILD TOWARD INTERDEPENDENT THRIVING, STARTING WHERE YOU ARE

To begin, this Essay is an invitation to start where you are. There are many entry points and opportunities to continually evolve along our shared continuum of humanity. May we move without judgment, offer grace to ourselves and others, and start at any point that moves us forward, letting go of the idea that there is one right way and embracing the generative possibilities that are before us.²⁶

Here are five entry points to begin and build.

20. See Craig R. Smith, *Ethos Dwells Pervasively*, in *THE ETHOS OF RHETORIC* 1, 2–4 (Michael J. Hyde ed., 2004).

21. See *id.*

22. See OCTAVIA E. BUTLER, *PARABLE OF THE SOWER* 3, 195 (1993) [hereinafter BUTLER, *PARABLE OF THE SOWER*] (“All that you touch You Change. All that you Change Changes you.”); WONG, *supra* note 5, at 52 (“[I]t can be said that our beingness both precedes and permeates our doingness.”).

23. BUTLER, *PARABLE OF THE SOWER*, *supra* note 22, at 262.

24. See GILMORE, *supra* note 10, at 42 (“Abolition is a totality and it is ontological.”); RITCHIE, *supra* note 11, at 36 (“Critical Resistance cofounder and former director Rachel Herzing emphasized that any tool can be used toward abolitionist ends provided we are guided by an abolitionist politic.”).

25. See WONG, *supra* note 5, at 67.

26. See *id.* at 67, 83 (“Alternatives shrink when you are right upon whatever it is you must do. The scarcity created in too little time and too much urgency narrows the field of alternatives. . . . But there are no choices to be made if we are unable to see, feel, hear, understand the variation of possibilities before us, out on that horizon and down there all around you as you stand on the mountain. . . . May we forgive ourselves And move on move on [t]o that place of maximum possibility.”).

First, embrace a shared vision: We find alignment in a shared vision, a horizon, that gives us a general direction of where we are headed as a community. This shared vision gives us our collective why.

Second, reckon with history: We reckon with the history of the juvenile legal system to name the system for what it is and has always been, an institution of social control. Reckoning with this history allows us to move with an intention to operate as a vessel inside the system to help shift the flow of power to communities.

Third, commit to a transformation within ourselves: We commit to a practice of reflection and internal transformation so that we create space within ourselves to connect relationally with others to create change. This involves a practice of internal accountability to come into an awareness of the oppressive logics that exist within us to fracture our humanity, and instead to align our wholeness in interdependence with others—to embody the value that my future is intricately tied to your future, to the youth we serve, and to the broader community around us.

Fourth, engage in collective action: We cultivate relationships to be in community with one another, knowing that our collective power and courage are grounded in the depth of our relationships and the strength of our critical connections.

Fifth, courageously experiment: In community, we experiment. We leverage the unique positionality of youth defenders working inside the system to create portals of safety, healing, and care for youth, while disrupting the system enough to create fertile soil to shift power from systems of punishment to communities of care.

This offering is based on the Gault Center's work in organizing with youth defenders to transform the juvenile legal system from the inside,²⁷ which is grounded in

27. See *Youth Defense System Transformation*, *supra* note 14.

the intersecting teachings of abolition,²⁸ dialectical thinking,²⁹ dialogical theory,³⁰ emergent strategies,³¹ and systems theory,³² among other studies.

In the spirit of dialectical thinking, this offering is given in recognition of two perspectives on the role of public defenders in the movement for abolition: in one view, public defenders are part of oppressive systems, and strengthening public defense infrastructures may legitimize systems of harm;³³ and in another view, public defenders

28. This Essay embraces the expansive and evolving tapestry of the abolition movement and its intersecting studies including Black feminist wisdom, decolonization, disability justice, economic justice, gender justice, healing justice, Indigenous justice, immigrant justice, Queer and trans justice, racial justice, transformative justice, youth justice, and beyond, all of which move us closer to a more whole humanity that creates space for *everyone* to thrive. *See, e.g.*, Dorothy Roberts, *Abolition Constitutionalism*, 133 HARV. L. REV. 1, 6 (2019) (“Activists engaged in the movement have resisted ‘closed definitions of prison abolitionism and have instead suggested a variety of terms to capture what prison abolitionists think and do—abolition is ‘a form of consciousness,’ ‘a theory of change,’ ‘a long-term political vision,’ and ‘a spiritual journey.’”); Talila A. Lewis, *Disability Justice Is an Essential Part of Abolishing Police & Ending Incarceration*, in ABOLITION FOR THE PEOPLE: THE MOVEMENT FOR A FUTURE WITHOUT POLICING AND PRISONS 42 (Colin Kaepernick, Connie Wun & Christopher Petrella eds., 2021) (“Successful abolition strategies will weave communities together by highlighting the ties between oppressions that lead to seemingly intractable structural and systemic inequity.”); KABA, WE DO THIS ‘TILL WE FREE US, *supra* note 4, at 2 (“PIC [prison-industrial complex] abolition is a vision of a restructured society in a world where we have everything we need: food, shelter, education, health, art, beauty, clean water, and more things that are foundational to our personal and community safety.”).

29. *See, e.g.*, BOGGS & KURASHIGE, *supra* note 13, at 62 (“These two notions—that reality is constantly changing and that you must constantly be aware of the new and more challenging contradictions that drive change—lie at the core of dialectical thinking.”).

30. *See, e.g.*, FREIRE, *supra* note 19, at 167, 171 (“In the dialogical theory of action, Subjects meet in cooperation in order to transform the world. . . . In dialogical theory, at no stage can revolutionary action forgo communion with the people.”).

31. *See, e.g.*, ADRIENNE MAREE BROWN, EMERGENT STRATEGY: SHAPING CHANGE, CHANGING WORLDS 13–14 (2017) [hereinafter BROWN, EMERGENT STRATEGY] (“‘Emergence is the way complex systems and patterns arise out of a multiplicity of relatively simple interactions.’ . . . Many of us have been socialized to understand that constant growth, violent competition, and critical mass are the ways to create change. But emergence shows us that adaptation and evolution depend more upon critical, deep, and authentic connections, a thread that can be tugged for support and resilience. The quality of connection between the nodes in the patterns. Dare I say love. And we know how to connect—we long for it.” (quoting NICK OBOLENSKY, COMPLEX ADAPTIVE LEADERSHIP: EMBRACING PARADOX AND UNCERTAINTY (2014))); RITCHIE, *supra* note 11, at 7 (“These ideas are not new—*Emergent Strategy* draws on a much deeper body of work rooted in the workings of the natural world, Indigenous lifeways, complexity science, change theory, Grace Lee Boggs’s later writings, the work of the Complex Movements Collective, and the observations of scholars and organizers across generations.”).

32. *See, e.g.*, MEADOWS, *supra* note 15, at 1–2 (“Once we see the relationship between structure and behavior, we can begin to understand how systems work, what makes them produce poor results, and how to shift them into better behavior patterns. As our world continues to change rapidly and become more complex, systems thinking will help us manage, adapt, and see the wide range of choices we have before us. It is a way of thinking that gives us the freedom to identify root causes of problems and see new opportunities.”).

33. *See* Paul D. Butler, *Poor People Lose: Gideon and the Critique of Rights*, 122 YALE L.J. 2176, 2197 (2013) (“*Gideon* also provides a legitimization of the status quo. . . . ‘Procedural fairness not only produces faith in the outcome of individual trials; it reinforces faith in the legal system as a whole.’”); Nicole Smith Futrell, *The Practice and Pedagogy of Carceral Abolition in a Criminal Defense Clinic*, 45 N.Y.U. REV. L. & SOC. CHANGE 101, 118 (2021) (“No matter how much a defender may be ideologically opposed to the criminal legal system, the simple act of carrying out defense representation can provide a veneer of legitimacy to the entire process. . . . The criminal defense function, as vital as it is, exists as a part of the criminal justice logic.”); Derecka Purnell, *Reforms Are the Master’s Tools: The System Is Built for Power, Not Justice*, in ABOLITION FOR THE

are uniquely positioned to safely navigate individuals out of danger inside these systems and are privy to the inner workings that allow them to disrupt the very mechanics of what the system relies on to survive.³⁴ We acknowledge both perspectives and seek to engage in continued dialogue for the generative possibilities that may emerge in communion.³⁵ At the same time, we uphold the polarity³⁶ that systems of oppression intentionally starve youth defense systems of essential resources, ultimately revealing how little our dominant society cares about the young people who are trapped in systems of control and punishment, as well as the essential task before us of repairing and building trust between public defense institutions and communities.³⁷

PEOPLE, *supra* note 28, at 148 (“The criminal legal system is like the master’s house. Reforms are the master’s tools. Sometimes, Black public defenders will be able to use a tool or two to get their client free, or a Black prosecutor or judge will even appear to be in charge of the house, which was true in my client’s case. But this will never bring about genuine change.”).

34. See Vincent M. Southerland, *Public Defense and an Abolitionist Ethic*, 99 N.Y.U. L. REV. 1635, 1642–44 (2024) (“I understand that public defense cannot, on its own, transform the criminal system or the world in which it operates. But it can serve as a tool to implement a transformational vision. . . . Public defense is an ever-evolving institution.”); RAJ JAYADEV, PROTECT YOUR PEOPLE: HOW ORDINARY FAMILIES ARE USING PARTICIPATORY DEFENSE TO CHALLENGE MASS INCARCERATION 14 (2024) (“In this reframing, public defenders became the sling and rock David uses to take down the giant. Public defenders could be a weapon of the movement rather than an apparatus of the carceral system. . . . Because public defenders tend to be the sole legal advocate for the vast majority of people facing charges, improving public defense is one of the least talked about yet most statistically significant ways to mount a strong fight against incarceration.”); Futrell, *supra* note 33, at 119 (“[I]t also bears noting that there are many roles that need to be played on the path toward abolition. However complicated the institutional role of the defender may be, the truth remains that for the people currently ensnared in the criminal legal system, effective, skilled, and tenacious representation is vital. . . . Abolition is about working in solidarity with those who are most impacted and those who seek to dismantle systems of oppression.”); see also HERZING & PICHÉ, *supra* note 5, at 78 (“Efforts to use the law to fight imprisonment come with dangers, including the movement’s neutralization, particularly where the abolitionist strategy behind legal struggles is not clearly laid out. Nevertheless, legal advocacy, where used toward abolitionist ends, can be a powerful strategy to achieve lasting change.”).

35. See HERZING & PICHÉ, *supra* note 5, at 122 (“Because we’re working with people that are actually locked up, we really can’t afford to live in that world of ideological purity to the detriment of everything else. We can’t afford it, because people won’t let us. . . . You’re not going to be all up in the academic argument. You’re going to be like, ‘Yes, and, what can we do to continue to maintain our commitment to this broader, larger thing we also strongly believe in?’” (quoting Mariame Kaba)); cf. KABA, WE DO THIS ‘TILL WE FREE US, *supra* note 4, at 96 (“People think that either you’re interested in reform or you’re an abolitionist—that you have to choose to be in one camp or the other. I don’t think that way. For some people, reform is the main focus and end goal and for some people, abolition is the horizon. But I don’t know anybody who is an abolitionist who doesn’t support *some* reforms.”).

36. See JOHNSON & BURTAINE, *supra* note 18, at 112 (“Duality suggests that two things exist in an antagonistic relationship based on opposition, while the law of polarities honors how two things are inextricably bound, such that one would not exist without the other. Life moves us between the two poles or polarities in order to create harmony.”).

37. See *Youth Defense System Transformation*, *supra* note 14 (“The juvenile legal system is one of many structures rooted in white-dominant hierarchies that strip away an equitable chance for all children to experience healthy development and opportunities to thrive, under the guise of paternalism. With the support of intertwining structures of racism, the harms of the juvenile legal system have played out exactly as designed. Part of this design is the de-prioritization of youth defense.”); THE GAULT CTR., NATIONAL YOUTH DEFENSE SYSTEM STANDARDS 1 (2024) (“To counteract the intentionality of carceral systems, states must radically reimagine the provision of youth defense representation by building up and sustainably supporting a specialized corps of youth defenders equipped to advance racial justice and the equitable development of all youth facing the juvenile legal system.”); Southerland, *supra* note 34, at 1647 (“In many places across the country, decades of deliberate

In holding this tension, this Essay is an invitation for youth defenders to *practice* by embracing our positionality to disrupt the everyday injustices that the machinery of the juvenile legal system needs to exist, while engaging in conscious practices of interdependent thriving so that we can create ripples of change across the continuum of systems and our interwoven humanity. By interrupting the juvenile legal system’s levers of social control, youth defenders practicing with an abolitionist ethos have the opportunity to create fertile soil for fostering change from the inside³⁸—dependent on, and further building, the necessity of looking beyond the status quo for community-based solutions that uphold true healing, accountability, and transformative justice, all of which are being actively made right now.³⁹ And as we engage in an abolitionist ethos that shapes our work inside the system, we “take root among the stars,” the constellation of organizers, movement builders, and activists working toward an abolitionist horizon, doing our part in the space we hold, knowing that we are never alone nor could we ever do this work alone.⁴⁰

indifference toward indigent communities and the underfunding of public defense have left defender offices struggling to provide even the most basic representation to the accused.”); *cf.* JAYADEV, *supra* note 34, at 13–15 (“The initial dynamic was rooted in a history of distrust between public defenders and the communities they represented in court. . . . It turned out that the nature of the court system often made public defenders feel isolated and overwhelmed as well.”); BLACK PUB. DEF. ASS’N, BLACKROOTS ALL., COOK CNTY. PUB. DEF. & NW. UNIV., REIMAGINING PUBLIC SAFETY: COMMUNITY LISTENING SESSIONS WITH BLACK COMMUNITIES AND PUBLIC DEFENDERS 57–58 (2023), <https://blackdefender.org/wp-content/uploads/2023/11/Reimagining-Public-Safety-report.pdf> [<https://perma.cc/YR6D-TMCL>] (“The frequent notion that public defenders are on the same side as prosecutors and judges should be a sobering insight, and requires public defenders to question and change their actions that foster this perception. Public defenders can also better do their jobs if they know the communities they serve, if they understand the choices and challenges, the hardships and victories, and the exposures and assumptions that guide the behaviors that may land someone in a courtroom.”); *Learn: Common Questions About Criminal Court Reform*, BEYOND CRIM. CTS., <https://beyondcourts.org/en/learn/faq> [<https://perma.cc/QG24-24QC>] (last visited Apr. 11, 2026) (“It’s true that public defenders are widely under-resourced and that this lack of funding affects the quality of the defense for the people they represent. As long as we have the current criminal punishment system, we should be funding public defense lawyers so they have the resources and capacity to vigorously defend people being prosecuted.”).

38. See RITCHIE, *supra* note 11, at 4–5 (“[Laws and policies] are a means to ends, not the ends themselves. At best, they create more favorable terrain to build toward a world that does not rely on the violence of policing and make it possible for more people to join in those efforts.”).

39. See HERZING & PICHÉ, *supra* note 5, at 67 (outlining real-life examples of individuals and community organizations practicing abolition right now); Colin Kaepemick, Connie Wun & Christopher Petrella, *Editors’ Preface: A Journey to Safer Futures*, in *ABOLITION FOR THE PEOPLE*, *supra* note 28, at xvii (“This is the world we’re actively building together—a world where abolition is a verb. A world where abolition is understood, as Mariame Kaba has said, ‘not just as a horizon we’ll arrive at some day’ but rather as a world that’s ‘constantly being made.’”).

40. See BUTLER, *PARABLE OF THE SOWER*, *supra* note 22, at 77, 85 (“[T]he Destiny of Earthseed Is to take root among the stars.”); MURAKAWA, *supra* note 4, at xviii (“Why be a star when you can make a constellation? And that’s what we see in this book—the brilliance that shines from Kaba and an entire constellation of co-organizers, cofounders, and coconspirators, together in an abolitionist practice of refusal, care, and collectivity.”).

A. *Embrace a Shared Vision that Points Toward a Horizon of Interdependent Thriving Where All Children Are Free To Grow in Communities of Care*

*At the timeplace when we finally look up, gaze on the horizon, which horizon will we see, which horizon will we move toward? As in any journey, this most consequential one requires our knowing where it is we are going.*⁴¹

Practicing with an abolitionist ethos as youth defenders means being grounded in a shared vision for our collective future—a “horizon story” that offers a general direction of where we are headed, together.⁴² This goes beyond identifying what needs to be broken and requires imagining the possibilities of what we can build and create.⁴³ This vision gives us our collective why.⁴⁴

Imagine a horizon of thriving. A horizon that is free of the trappings of scarcity that impoverish our minds to a place of binaries and division.⁴⁵ A horizon where worth is no longer tied to constructs of superiority.⁴⁶ A time and a place where wholeness and interconnection are honored.⁴⁷ And on this horizon, you see, hear, and feel what it looks like for children—across all races, identities, and disabilities—to be free in caring communities.⁴⁸ They are free to be, free to grow, free to play, free to explore, free to make mistakes, free to shape their own future, and free to thrive. And you see, hear, and feel what this means for you—to live in a world where all children are free, and in a

41. WONG, *supra* note 5, at 33.

42. See WONG, *supra* note 5, at 43 (“The far horizon story is the embodiment of everything we hope our descendants will live into.”); BROWN, EMERGENT STRATEGY, *supra* note 31, at 218 (“Collaboration can only be built on relationships and shared vision. . . . And shared vision doesn’t mean a ten-point shared utopia—it means you can generally state that you are moving in the same direction.”).

43. See RITCHIE, *supra* note 11, at 86–87 (describing Ruha Benjamin’s invitation to shift our focus from “cataloging crisis to articulating what we want to see emerge from crisis”); WONG, *supra* note 5, at 45 (“What we cannot imagine is more difficult to create. And what cannot be created cannot become so.”).

44. See WONG, *supra* note 5, at 68 (“‘Getting closer’ can take a while. The way in which we proceed, the what we are promoting and deciding upon, the why we are acting . . . all count toward the cohesion and possibility of a horizon of fruitful emergence.” (omission in original)).

45. See MIA BIRDSONG, HOW WE SHOW UP: RECLAIMING FAMILY, FRIENDSHIP, AND COMMUNITY 13 (2020) (“This fear-based sense of scarcity pits us against one another. . . . This is not to say that there is not a lot of difference and disagreements between and among us. But when we understand those differences as inherently threatening, then we have let that fear allow us to dehumanize other people.”); RUTH WILSON GILMORE, *Race, Capitalist Crisis, and Abolitionist Organizing: An Interview with Jenna Lloyd*, in ABOLITION GEOGRAPHY: ESSAYS TOWARDS LIBERATION, *supra* note 10, at 468 (“[I]f abolitionists are, first and foremost, committed to the possibility of full and rich lives for everybody, then that would mean that all kinds of distinctions and categorizations that divide us—innocent/guilty; documented/not; Black, white, Brown; citizen/not-citizen—would have to yield in favor of other things, like the right to water, the right to air, the right to the countryside, the right to the city, whatever these rights are.”).

46. See, e.g., George Yancy & Talila A. Lewis, *Ableism Enables All Forms of Inequity and Hampers All Liberation Efforts*, TRUTHOUT (Jan. 3, 2023), <https://truthout.org/articles/ableism-enables-all-forms-of-inequity-and-hampers-all-liberation-efforts/> [<https://perma.cc/8CMM-BQHP>] (“Eugenics lives because on personal and communal levels, to ‘save ourselves’ we have always found ‘superior’ categories that we fit into or can strive toward, and ‘inferior’ categories that we do not belong to and can strive to never become part of.”).

47. See BIRDSONG, *supra* note 45, at 14 (“All of us have ancestral memory of what it’s like to live connected, interdependent lives.”).

48. See WONG, *supra* note 5, at 33–34 (“Horizon is a what, a place, and a time. It is the ‘Not seeing / Not hearing / Not feeling / The timeplace yet to be’ that keeps us mired in place. Easily resolved! Let us see! Let us hear. Let us feel.”).

humanity that thrives in our interdependence. A world where each of us embraces the very essence of being human. As described by activist Archbishop Desmond Tutu: “It is to say, ‘[m]y humanity is caught up, is inextricably bound up, in yours.’ We belong in a bundle of life.”⁴⁹

Our imaginations have power. They map our path forward, allowing us to shape our collective future, the direction of which is neither guaranteed nor settled within our existing paradigms.⁵⁰ To that end, our imaginations are a form of resistance, creation, and transformation—they offer passageways for us to create anew, to shape our interdependent future grounded in a “more human” humanity.⁵¹ Brown calls us, first, to imagine.⁵² She reminds us, “We are in an imagination battle.”⁵³ And this begins with each of us, as we take time to “grow our souls” and imagine anew, as taught by Boggs.⁵⁴

We battle imaginations because the systems of oppression that surround us are run by dominant ideologies that have normed us to exist within what Professor Ruha Benjamin describes as a “eugenics imagination,” a way of thinking and a practice that places value on some at the exclusion of others.⁵⁵ Professor Benjamin explores this imagination by looking at “who gets access to scarce resources when hospitals don’t have enough supplies for all patients, to who gets warehoused in U.S. jails because they cannot

49. DESMOND TUTU, *NO FUTURE WITHOUT FORGIVENESS* 31 (1999) (“A person with [the African *Weltanschauung* or] *ubuntu* is open and available to others, affirming of others, does not feel threatened that others are able and good, for he or she has a proper self-assurance that comes from knowing that he or she belongs in a greater whole and is diminished when others are humiliated or diminished, when others are tortured or oppressed, or treated as if they were less than who they are.”); see also BIRDSONG, *supra* note 45, at 19 (“We exist, not as wholly singular, autonomous beings, not completely merged, but in a fluctuating space in between. This idea was expressed beautifully in Desmond Tutu’s explanation of the South African concept of Ubuntu.”); KELLY HAYES & MARIAME KABA, *LET THIS RADICALIZE YOU: ORGANIZING AND THE REVOLUTION OF RECIPROCAL CARE* 227 (2023) (“Tutu helped to popularize the Zulu concept of Ubuntu as the understanding that ‘a person is a person through other people.’ He used to say that Ubuntu can best be understood as ‘me we.’ I love that term—‘me we.’”).

50. See Mariame Kaba, *The Journey Continues: So You’re Thinking About Becoming an Abolitionist*, in *ABOLITION FOR THE PEOPLE*, *supra* note 28, at 240 [hereinafter Kaba, *The Journey Continues*] (“Every vision is also a map. As freedom fighter Kwame Ture taught us, ‘When you see people call themselves revolutionary always talking about destroying, destroying, destroying but never talking about building or creating, they’re not revolutionary. They do not understand the first thing about revolution. It’s creating.’ PIC abolition is a positive project that focuses, in part, on building a society where it is possible to address harm without relying on structural forms of oppression or the violent systems that increase it.”).

51. See BOGGS & KURASHIGE, *supra* note 13, at 147–48 (describing “the notion of a more human, human being [as] one who is more advanced in the qualities which only human beings have—creativity, consciousness and self-consciousness, a sense of political and social responsibility”).

52. BROWN, *EMERGENT STRATEGY*, *supra* note 31, at 18 (“We embody. We learn. We release the idea of failure, because it’s all data. But first we imagine.”).

53. *Id.*

54. See BOGGS & KURASHIGE, *supra* note 13, at 28–51 (“[T]hese are the times to grow our souls”).

55. BENJAMIN, *supra* note 2, at 49 (“[T]he ubiquity of a *eugenics imagination* . . . warps so many areas of our lives. . . . We can describe eugenics policies and practices in two ways. *Negative eugenics* seeks to limit the reproduction of those with undesirable traits, whereas *positive eugenics* encourages the propagation of those with desirable traits.”).

afford bail.”⁵⁶ These patterns show us how in our current society, “some lives are deemed desirable and others disposable.”⁵⁷

We unfortunately do not need to search far to see further evidence of these patterns. In fact, the juvenile legal system experiment is a manifestation of the eugenics imagination that has ensnared generations of children and youth deemed to be “other” and thereby disposable.⁵⁸ As Professor Cheryl Nelson Butler explains, “Contrary to the juvenile court’s rehabilitative ideal, eugenic theories attributing delinquency to race and ethnicity dominated the court’s laws and policies, particularly where [B]lack children were involved.”⁵⁹ The threads of this eugenics imagination cemented an infrastructure, using juvenile courts as an apparatus, that has continued to breed disparities based on the binary of desirability and disposability even to this day. In fact, even as overall incarceration rates are falling, racial disparities are increasing,⁶⁰ and the overrepresentation of youth across race, ethnicity, sexual orientation, gender identity and expression, disability, and poverty is a common marker of the juvenile legal system.⁶¹

This centuries-long experiment of juvenile courts demonstrates that imaginations can also be oppressive, and they can create real harm. Professor Benjamin defines an ideology as “imagination + power,” and she argues that “the most effective ideologies are those that need no police to enforce them, because we internalize and perpetuate them

56. *Id.*

57. *Id.*; see also Lewis, *supra* note 28, at 124 (“The united states government and corporations have always used constructed ideas about disability and criminality alongside and intertwined with constructed ideas about class and race to classify, criminalize, cage, and disappear its ‘undesirables.’ In this way, those in positions of power maintain the white supremacist status quo and create an exploitable labor pool while sowing discord within and across marginalized communities.”).

58. See Cheryl Nelson Butler, *Blackness as Delinquency*, 90 WASH. U. L. REV. 1335, 1363–74 (2013) [hereinafter Butler, *Blackness as Delinquency*] (“[T]he very definitions themselves had a disparate impact on [B]lack families. . . . this jurisprudence of defining delinquency based on assumptions regarding ethnicity, class, and morality had particularly disastrous results for [B]lack youth on whom unique badges of degradation and criminality had already been assigned.”).

59. *Id.* at 1365.

60. THE SENT’G PROJECT, YOUTH JUSTICE BY THE NUMBERS 1 (2024) [hereinafter THE SENT’G PROJECT, YOUTH JUSTICE] (“Between 2000 and 2023, youth incarceration fell by almost 75%. However, racial and ethnic disparities in youth incarceration and sentencing persist amidst declines in youth arrests and incarceration.”); THE SENT’G PROJECT, BLACK DISPARITIES IN YOUTH INCARCERATION 1 (2025) [hereinafter THE SENT’G PROJECT, BLACK DISPARITIES] (“Incarceration disparities between Black and white youth have remained stubbornly high over the past decade. As of 2023, the most recent data, Black youth were 5.6 times as likely to be placed (i.e., detained or committed) in juvenile facilities as their white peers. The disparity is now at an all-time high, based on data that starts in 1997.”); Brian Nam-Sonenstein & Wendy Sawyer, *Youth Confinement: The Whole Pie 2025*, PRISON POL’Y INITIATIVE (Aug. 25, 2025), <https://www.prisonpolicy.org/reports/youth2025.html> [https://perma.cc/H4F5-KNJJ] (“There are far fewer kids in juvenile confinement facilities, and far fewer facilities—especially large facilities that hold over 100 kids[,] [yet] [r]acial disparities have worsened, particularly among Black and Indigenous children.”).

61. See, e.g., Barry Feld & Perry Moriearty, *Race, Rights, and the Representation of Children*, 69 AM. U. L. REV. 743, 786–91 (2020); KERITH J. CONRON & BIANCA D.M. WILSON, UCLA SCH. OF L. WILLIAMS INST., LGBTQ YOUTH OF COLOR IMPACTED BY THE CHILD WELFARE AND JUVENILE JUSTICE SYSTEM: A RESEARCH AGENDA 52–53 (2019); NAT’L CTR. FOR LEARNING DISABILITIES, UNLOCKING FUTURES: YOUTH WITH LEARNING DISABILITIES & THE JUVENILE JUSTICE SYSTEM 7 (2023); Nancy Rodriguez, *Concentrated Disadvantage and the Incarceration of Youth: Examining How Context Affects Juvenile Justice*, 50 J. RSCH. CRIME & DELINQ. 189, 194–95, 203–06 (2013); SARAH HOCKENBERRY & CHARLES PUZZANCHERA, NAT’L CTR. FOR JUV. JUST., JUVENILE COURT STATISTICS 2021, at 21 (2024).

ourselves.”⁶² She also warns that “our collective imagination has been arrested and confined, making it difficult to think beyond the racist, classist, sexist, ableist status quo.”⁶³ If dominant ideologies rely on oppressive imaginations, including ours, then the good news is that we hold power to resist and shape the change we want to see in ourselves and the systems around us—starting with our dreams. As brown says, “our dreams and visions matter, they are the way we make oppression temporary.”⁶⁴

Harnessing the power of our imaginations as a tool for change begins inward and grows with community. Professor Benjamin teaches that “we cannot just be critical of oppressive systems without also examining how our own private thoughts and desires reflect and reproduce a dominant imagination that values some lives over others.”⁶⁵ We must engage in a practice to “continuously deprogram ourselves, challenging the hierarchies that place us above or below, and decode the imaginative justifications that make those social hierarchies seem natural, durable, and deserved.”⁶⁶ As we see and refuse the ways we have been stuck in the oppressive imaginations of those who hoard power, we can, as Zen and Indigenous teacher and movement elder Norma Ryūkō Kawelokū Wong Roshi says, take a “leap in our mind, heart, and core”⁶⁷ to free our imaginations of the limitations of the now and collectively dream our way to a “timeplace” of shared humanity.⁶⁸

Meaning that when we allow ourselves to engage in a practice of imagining beyond the constrictions of the dominant ideologies we are normed to accept, we create space within ourselves to dream in community and to tap into our collective power.⁶⁹ Professor Walidah Imarisha reminds us, “We are told true liberation is an impossible dream by the powers that be, over and over again, because us *believing* that it is an impossible dream is the only thing between here and the new, just futures we want.”⁷⁰

This possibility is both tested and generative in times of crisis. Professor Imarisha warns, “The more scared we are, the more in crisis, the more we are told to pull back. But this is the time when anything and everything can change. Let our imaginations grow as large as galaxies.”⁷¹ Wong also observes, “In transformational work, it is the crisis

62. BENJAMIN, *supra* note 2, at 75–76.

63. *Id.* at 75.

64. BROWN, *LOVING CORRECTIONS*, *supra* note 1, at 40–41.

65. BENJAMIN, *supra* note 2, at 64.

66. *Id.*

67. WONG, *supra* note 5, at 52–53 (“We are more likely to imagine and strategize into an expansive possibility if we first leap in our mind, heart, and core, while interrupting the habit of not committing, not desiring before we know all the details. Without the initial leap, our imagination can be limited to the boundaries of our current possibilities.”).

68. *See id.* at 17–18 (“Time+place, or shorthand timeplace, is how we experience the course of events in time and in place, across time and across places.”).

69. *See* RITCHIE, *supra* note 11, at 227 (“[W]e have to do this together. It’s imperative for us to take up that responsibility, which is both beautiful and terrifying. And doing it collectively not only means we don’t have to be so scared of not having the right answer, it means that we are going to create something.” (quoting THE EMERGENT STRATEGY PODCAST: *Dreaming While Black with Walidah Imarisha and Calvin Williams* (Spotify, Apr. 29, 2021))).

70. Walidah Imarisha, *To Build a Future Without Police and Prisons, We Have To Imagine It First*, in RITCHIE, *supra* note 11, at 59.

71. *Id.* at 60.

that opens the way for big leaps.”⁷² Times of crisis offer the possibilities of transformative change and opportunities to embrace abundance—abundance in our imaginations and abundance in community.

To tap into the possibilities that arise in crisis, instead of “fighting each other over what is the ‘right’ way to struggle and to create change,” we hold the guidance of Professor Imarisha to see that “[w]hen we are rooted in a shared vision and shared principles and values, there is space for all our imaginings.”⁷³ Wong also cautions that

[a]lternatives shrink when you are right upon whatever it is you must do. The scarcity created in too little time and too much urgency narrows the field of alternatives. . . . But there are no choices to be made if we are unable to see, feel, hear, understand the variation of possibilities before us, out on that horizon⁷⁴

So then, to wholly embrace transformation, we are called to let go of the binary of right and wrong and to cultivate the many imaginative possibilities on the horizon, together and in community, as we create passageways through crisis. For youth defenders, this means cultivating a practice of grounding our everyday work in a shared vision to break down individual and collective manifestations of oppressive imaginations in the juvenile legal system while actively dreaming and generating more possibilities to build toward a shared horizon where all children are free to thrive in caring communities, outside the control of systems of punishment.

B. Reckon with the Juvenile Legal System’s Lineage of Racialized Social Control and the Need To Shift Power to Communities

To imagine otherwise we must first “remember otherwise.” How do generational histories impact our day-to-day imaginations, and how can we imagine new modes of living that incorporate the wisdom of the old and ongoing?⁷⁵

As we ideate toward a horizon of what Wong calls “interdependent thriving,”⁷⁶ our shared vision must also be rooted in history.⁷⁷ Writer and organizer Andrea J. Ritchie points us to Black feminist abolitionists who “teach us that abolition is both a project of analysis and a project of imagination.”⁷⁸ Once we unlock the power of our liberatory imaginations, next comes the hard work of creating our imaginations into a new reality,

72. WONG, *supra* note 5, at 6.

73. Imarisha, *supra* note 70, at 60.

74. WONG, *supra* note 5, at 67.

75. BENJAMIN, *supra* note 2, at 138.

76. WONG, *supra* note 5, at 67.

77. See RITCHIE, *supra* note 11, at 228 (“We are being called to dream of liberated futures while also remembering, and repairing, our collective past.”).

78. *Id.* at 226.

and this begins by first analyzing and naming our history.⁷⁹ As educator and philosopher Paulo Freire said, “To exist, humanly, is to *name* the world, to change it.”⁸⁰

To apply this framework to youth defenders, we begin by analyzing the dominant myth about juvenile courts and comparing this myth with “the world as it is.”⁸¹ The story goes that in 1825, New York opened the first house of refuge, a place that offered shelter, education, and services for abused, neglected, and delinquent youth.⁸² This eventually sparked a movement to treat children differently than adults, culminating in the creation of juvenile courts nationwide, with Chicago opening the first juvenile court in 1899.⁸³ This narrative relies on a sanitized origin story that centers the benevolent purpose of juvenile courts to provide rehabilitation and treatment for children, instead of punishment.⁸⁴ Flowing from this myth is a paradigm where we accept that youth “need” to be “rehabilitated” and the “benevolence” of the juvenile court provides “treatment.”⁸⁵ These presumptions have shaped our legal jurisprudence, and this dominant myth has fueled not only the juvenile court’s survival, but also its growth.⁸⁶

79. Imarisha, *supra* note 70, at 60 (“It is not enough to just dream and envision, we have to roll up our sleeves and dig in. . . . There is an absolute necessity in looking historically, presently, and futuristically for rebellion, for radical struggle, and—most of all—for unity.”); *see also* MEADOWS, *supra* note 15, at 170 (“Before you disturb the system in any way, watch how it behaves. . . . If it’s a social system, watch it work. Learn its history.”); WONG, *supra* note 5, at 35 (“Creation requires just that—both the imagining, and the hard work of making it true.”).

80. FREIRE, *supra* note 19, at 88.

81. *See* BROWN, *LOVING CORRECTIONS*, *supra* note 1, at 145 (“[D]evelop an assessment of why the world is as it is. This requires us to leap from an uninformed faith we have in the societal myths we were given as children, to the informed faith that we need to co-create the real world as adults. This informed faith is based not on cultural myths but instead on lived experience, political education, and analysis.”).

82. Sanford J. Fox, *Juvenile Justice Reform: An Historical Perspective*, 22 *STAN. L. REV.* 1187, 1187–89 (1970); *Juvenile Justice System Structure & Process: Overview*, OFF. OF JUV. JUST. & DELINQ. PREVENTION, https://www.ojjdp.gov/ojstatbb/structure_process/overview.html [<https://perma.cc/69P5-8ABU>] (last visited Apr. 11, 2026).

83. *See* Fox, *supra* note 82, at 1187–89; *Juvenile Justice System Structure & Process: Overview*, *supra* note 82.

84. *See* JANE M. SPINAK, *THE END OF FAMILY COURT: HOW ABOLISHING THE COURT BRINGS JUSTICE TO CHILDREN AND FAMILIES* 6–7 (2023) (“One reason family court remains so entrenched as a legal institution—despite its failures—is that it seems like such a good idea, even a great idea. A great idea can become a powerful story that is hard to abandon; we hold onto ideas that feel right, even in the face of contrary evidence. A court that cares—a court that eschews adversarial methods, embraces therapeutic paradigms, and champions judicial beneficence—is a powerful story that resonates emotionally and prevents us from seeing the harm that it may be causing.”); Marbre Stahly-Butts & Amna A. Akbar, *Reforms for Radicals? An Abolitionist Framework*, 68 *UCLA L. REV.* 1544, 1561 (2022) (“Sanitizing the past allows those in power to recast contemporary inequities as individual acts of racism as opposed to continuing manifestations of systemic inequality.”).

85. SPINAK, *supra* note 84, at 6–7.

86. *See, e.g.,* *Kent v. United States*, 383 U.S. 541, 554 (1966) (“The Juvenile Court is theoretically engaged in determining the needs of the child and of society rather than adjudicating criminal conduct. The objectives are to provide measures of guidance and rehabilitation for the child and protection for society, not to fix criminal responsibility, guilt and punishment.”); *In re Gault*, 387 U.S. 1, 15–16 (1967) (describing the underlying history of juvenile courts to be based on the idea that “[t]he child was to be ‘treated’ and ‘rehabilitated’ and the procedures, from apprehension through institutionalization, were to be ‘clinical’ rather than punitive”); *McKeiver v. Pennsylvania*, 403 U.S. 528, 547 (1971) (“The juvenile concept held high promise. We are reluctant to say that, despite disappointments of grave dimensions, it still does not hold promise, and we are particularly reluctant to say, as do the Pennsylvania appellants here, that the system cannot accomplish its

Critical to a youth defender with an abolitionist ethos, then, is challenging this myth by examining history. Unlike the benevolent narrative, the social and legal context swirling around the genesis and evolution of juvenile courts reveals that the system was first created as an institution of social control and has continued to grow as an apparatus of state-sanctioned violence to preserve dominant ideologies rooted in a binary of desirability and disposability as defined by those in power.⁸⁷ A quick look at the timeline of our history demonstrates this reality.

1. 1825 to 1865

The House of Refuge movement began in 1825 in New York, during a time when the enslavement of Black children and adults was legal.⁸⁸ As the foundational pillars of the juvenile court system were being built, laws affirming racial hierarchies, such as *Dred Scott v. Sandford* decided in 1856, reinforced the normalized practice of racial subjugation.⁸⁹ This meant that, consistent with the dominant ideology underlying enslavement, Black children were deemed “a categorically incorrigible group,” and thus excluded from rehabilitative efforts.⁹⁰ Instead, houses of refuge focused on exercising control to assimilate poor, white, immigrant youth who were deemed to have developmental potential, albeit as a lower caste.⁹¹ All the while, the federal government continued to remove Native and Indigenous children from their families, sending them to “boarding schools,” under the auspices of rehabilitation, with the aim to control and forcibly assimilate Native and Indigenous communities.⁹²

rehabilitative goals.”). See generally Robin Walker Sterling, *Fundamental Unfairness: In re Gault and the Road Not Taken*, 72 MD. L. REV. 607 (2013) [hereinafter Sterling, *Fundamental Unfairness*] (discussing the racialized origins of the juvenile legal system and how the juvenile court’s reliance on rehabilitative ideals fueled racial disparities); Eduardo R. Ferrer, *Razing & Rebuilding Delinquency Courts: Demolishing the Flawed Philosophical Foundation of Parens Patriae*, 54 LOY. U. CHI. L.J. 885 (2023) (tracing the flaws of the juvenile court’s philosophical underpinnings of *parens patriae* and how the court has continued to cause harm under the guise of acting as a benevolent parent).

87. See Subini Ancy Annamma & Jamelia Morgan, *Youth Incarceration and Abolition*, 45 N.Y.U. REV. L. & SOC. CHANGE 471, 488 (2022) (“Indeed, as scholars have pointed out, despite its pronouncements that it treats children differently or that it is focused on rehabilitation, the juvenile legal system functions more like a juvenile punishment system, in particular for multiply-marginalized Youth of Color The racialized, gendered, disability- and class-based disparities are more than just outcomes; they both reflect and reveal how the juvenile legal system as a whole reproduces hierarchies based on race, gender, disability, and class.”).

88. Sterling, *Fundamental Unfairness*, *supra* note 86, at 616–17.

89. See 60 U.S. (1 How.) 393, 404–05 (1856) (holding that Black Americans were excluded from citizenship of the United States and from its rights and privileges under the Constitution); see also GEOFF K. WARD, *THE BLACK CHILD-SAVERS: RACIAL DEMOCRACY AND JUVENILE JUSTICE* 33–38 (2012) (discussing the nexus of racialized exclusion and the formation of the juvenile court system).

90. WARD, *supra* note 89, at 41–42.

91. See BARRY C. FELD, *THE EVOLUTION OF THE JUVENILE COURT* 26–27 (2017).

92. JUSTINE VAN STRAATEN & PAUL G. BUCHBINDER, CTR. FOR CT. INNOVATION, *THE INDIAN CHILD WELFARE ACT: IMPROVING COMPLIANCE THROUGH STATE-TRIBAL COORDINATION* 1–2 (2011) (“Native children were commonly sent to boarding schools to become indoctrinated in mainstream American culture and Christian religious practices, as well as forbidden to speak their Native languages or have contact with their families. This practice continued until the 1930s, diluting the cultural and familial ties among Indian tribes across the United States.”); Rachel Thampapillai, *The Colourful Truth: The Reality of Indigenous Overrepresentation in Juvenile Detention in Australia and the United States*, 7 AM. INDIAN L.J. 230, 234–37 (2018); NAT’L CONG. OF AM. INDIANS, *TRIBAL JUVENILE JUSTICE: BACKGROUND AND RECOMMENDATIONS* 5 (2019).

2. 1865 to 1899

Following the passage of the Thirteenth Amendment in 1865, which ended the legal practice of enslavement except “as a punishment for crime,”⁹³ states were quick to pass broad and vague criminal laws, known as “Black Codes,” and created convict leasing systems to restore forced labor practices.⁹⁴ Professor Geoff K. Ward describes this period by explaining “[t]he criminalization of these [B]lack children and youths led to suffering and injustice far worse than labor exploitation.”⁹⁵ At the same time, laws upholding racial segregation and structural exclusion, such as *Plessy v. Ferguson*, decided in 1896, continued to build a legal jurisprudence that promoted and normalized racial stratification.⁹⁶ As described by Professor Butler, the result was that

[j]ust as U.S. criminal laws had developed “as a means to control the enslaved population, Native Americans and the poor,” the juvenile court likewise enforced race and class stratifications. Just as the *Plessy* decision had imposed a stain of inferiority on [B]lack people by enforcing state-sanctioned segregation, so did the juvenile court.⁹⁷

3. 1899 to 1930

The first juvenile court was created in 1899 at a time when racial segregation was the rule of law.⁹⁸ In addition, Black Codes and convict leasing schemes leveraged the power of courts to systematize social control over children and adults based on race and remained dominant practices until the 1930s.⁹⁹ In this context, juvenile courts meted out

93. U.S. CONST. amend. XIII.

94. See WARD, *supra* note 89, at 63–66; PENIEL E. JOSEPH, *THE THIRD RECONSTRUCTION: AMERICA’S STRUGGLE FOR RACIAL JUSTICE IN THE TWENTY-FIRST CENTURY* 139–40 (2022); DOUGLAS A. BLACKMON, *SLAVERY BY ANOTHER NAME: THE RE-ENSLAVEMENT OF BLACK AMERICANS FROM THE CIVIL WAR TO WORLD WAR II*, at 8 (2009); VINCENT SHIRALDI, *MASS SUPERVISION: PROBATION, PAROLE, AND THE ILLUSION OF SAFETY AND FREEDOM* 111–12 (2023); see also Maria E. Torres, Hannah E. Karpman, Leigh-Anne Francis & George S. Leibowitz, *Addressing Racial and Ethnic Disparities*, in *HANDBOOK OF FORENSIC SOCIAL WORK: THEORY, POLICY, AND FIELDS OF PRACTICE* 120, 122–25 (2024) (discussing the persistence of racialized social control leading to mass incarceration).

95. WARD, *supra* note 89, at 68.

96. 163 U.S. 537, 552 (1896) (upholding the constitutionality of “separate but equal” segregation laws).

97. Butler, *Blackness as Delinquency*, *supra* note 58, at 1366 (footnote omitted).

98. See *id.* at 1356; SPINAK, *supra* note 84, at 58 (“When the juvenile court was first being established, most Black children still lived in the South, where the violent racial backlash against Reconstruction had destroyed nascent Black rights and most Black children remained untouched by the court’s rehabilitative prospects. . . . The juvenile court’s disregard for the welfare of Black children was reflective of the national approach to child protection at the beginning of the twentieth century.”).

99. See Roberts, *supra* note 28, at 30–31; Sterling, *Fundamental Unfairness*, *supra* note 86, at 626–27; see also Jyoti Nanda, *Blind Discretion: Girls of Color & Delinquency in the Juvenile Justice System*, 59 *UCLA L. REV.* 1502, 1511 (2012) (“Understood in this way, the juvenile justice system was part of the Jim Crow apparatus. And it was used not only as a vehicle for social control but also as a mechanism to facilitate economic exploitation.”); *Convict Leasing*, EQUAL JUST. INITIATIVE (Nov. 1, 2013), <https://eji.org/news/history-racial-injustice-convict-leasing/> [<https://perma.cc/CNM2-MUTQ>] (“After the Civil War, slavery persisted in the form of convict leasing, a system in which Southern states leased prisoners to private railways, mines, and large plantations. While states profited, prisoners earned no pay and faced inhumane, dangerous, and often deadly work conditions. Thousands of Black people were forced into what authors have termed ‘slavery by another name’ until the 1930s.”); RUTH WILSON GILMORE, *FROM MILITARY-INDUSTRIAL COMPLEX TO PRISON-INDUSTRIAL COMPLEX: DR. RUTH WILSON GILMORE IN CONVERSATION WITH TREVOR PAGLEN* 8 (2005),

punishment on racial lines, under the auspices of a rehabilitation ideology that gave them the power to make decisions over a child's future based on subjective assessments of which child held rehabilitative potential.¹⁰⁰ As a result, Professor Butler describes, "this jurisprudence of defining delinquency based on assumptions regarding ethnicity, class, and morality had particularly disastrous results for [B]lack youth on whom unique badges of degradation and criminality had already been assigned."¹⁰¹

4. 1930 to 1954

Even as states legislatively eliminated the convict leasing system by the 1930s, courts continued to shapeshift to maintain the exploitation of Black labor (through chain gangs) and racial violence (through executions).¹⁰² In fact, as the Black freedom movement grew, Black youth faced what Professor Ward describes as "the racial vengeance of Jim Crow juvenile justice systems."¹⁰³ He explains, "As white perceptions of racial group power threats became heightened, youthful indiscretions by [B]lacks drew more severe sanctions from a racial state committed to the status quo."¹⁰⁴ As a result, juvenile courts provided critical infrastructure to implement state-sanctioned racial violence during this time.¹⁰⁵

<https://pointsforponder.wordpress.com/wp-content/uploads/2012/10/gilmore-nd2.pdf>

[<https://perma.cc/5GW8-7VQ2>], reprinted in ABOLITION GEOGRAPHY: ESSAYS TOWARDS LIBERATION, *supra* note 10, at 331 ("The convict lease system actually ended because working-class white people got tired of competing with criminalized Black people for jobs. Around that time, Jim Crow emerged from the South as a way to control Black people, while allowing working-class white people to participate in local government and a local economy. Jim Crow laws started slowly and then took off like wild fire.")

100. See Butler, *Blackness as Delinquency*, *supra* note 58, at 1358, 1363 ("In theory, the court was to ensure fair and human treatment of all children In practice, however, the court's idealistic pronouncements about protecting children masked class and ethnic biases."); FELD, *supra* note 91, at 20, 60 ("Juvenile courts rejected the trappings of criminal courts and used informal processes to identify children's needs. They created a two-track system of probation and institutional confinement that discriminated between 'our children' and 'other people's children.'"); Fox, *supra* note 83, at 1191–92 ("A similar segregation of the reformables from the nonreformables came to occupy a prominent place in the later juvenile court acts."); SPINAK, *supra* note 84, at 59 ("The juvenile court either excluded Black children or failed to provide the individualized rehabilitative services that justified the court's purpose.")

101. Butler, *Blackness as Delinquency*, *supra* note 58, at 1363.

102. WARD, *supra* note 89, at 99 ("[T]he exploitation of prison labor endured in new forms, such as chain gangs, which often included [B]lack children and youths."); BLACKMON, *supra* note 94, at 352 ("Moreover, while thousands of state prisoners in Georgia, the Carolinas, and other states were no longer leased to private corporations, they were being forced into an 'improved' method of coercing labor and intimidating African Americans—the chain gang.")

103. WARD, *supra* note 89, at 118.

104. *Id.*

105. *Id.* at 114–20. An analysis of the youth execution rate illuminates this reality. The youth execution rate significantly increased between 1931 and 1959, and 82% of the executions were of Black children. *Id.* at 117. As Professor Geoff Ward explains, "'legitimate' state executions replaced extralegal lynching" and "lynching had always been the ultimate form of social control." *Id.* at 118.

5. 1954 to 1971

On the heels of the landmark *Brown v. Board of Education* decision in 1954,¹⁰⁶ our country entered what historian Peniel E. Joseph describes as the “Second Reconstruction.”¹⁰⁷ In this time, youth activism in the Civil Rights Movement grew and, in that momentum, the levers of the juvenile court were tightened to quell youth activism.¹⁰⁸ By and large, white youth who engaged in acts of violence and vandalism in opposition to the Civil Rights Movement were protected in the juvenile court system, while Black youth who engaged in civil rights protests and demonstrations were punished and criminalized.¹⁰⁹ This practice of “selective criminalization” fed into a juvenile court system that issued formal court directives requiring Black youth to stop engaging in the freedom movement and to stop learning from movement leaders.¹¹⁰ These directives were issued across the country at the height of the Civil Rights Movement and were backed by the power of the courts to remove youth from their families and place them in prison for noncompliance.¹¹¹

6. 1971 to 1995

In 1971, President Richard Nixon declared war on drugs, cloaking racialized social control in a narrative of safety and crime.¹¹² Capitalizing on rising racial tensions following the significant inroads made by the Civil Rights Movement in the 1960s, the war on drugs created a proxy to surveil, control, and criminalize Black and Latine communities.¹¹³ This supercharged system of policing and punishment led our nation into an era of mass incarceration.¹¹⁴ Since the 1970s, systems of confinement have grown

106. 347 U.S. 483 (1954).

107. See JOSEPH, *supra* note 94, at 13 (“The Second Reconstruction spanned the heroic period of the civil rights era—from the May 17, 1954, Supreme Court decision in *Brown v. Board of Education of Topeka* to Dr. Martin Luther King Jr.’s April 4, 1968, assassination.”).

108. See WARD, *supra* note 89, at 203–08.

109. See *id.*

110. See *id.* at 203, 207 (describing examples of probation conditions that were ordered against youth and families due to a young person’s involvement in civil rights protests, including conditions that required parents to keep their child from engaging in protests, youth to promise not to associate with civil rights leaders, and youth to refrain from protesting); Annamma & Morgan, *supra* note 87, at 507 (“The selective criminalization of certain activities and not others demonstrates how crime becomes a result of systems of punishment focused on disposing of multiply-marginalized Youth of Color.”).

111. See SPINAK, *supra* note 84, at 117 (“Some of the children were put on probation on the condition that they would not associate with known civil rights leaders; if they violated this probation mandate, they would be sent to the state detention home.”); HERZING & PICHÉ, *supra* note 5, at 12 (“The criminalization of protest and suppression of these movements have been central to the containment of dissent and maintenance of inequitable power structures.”).

112. See SHIRALDI, *supra* note 94, at 38–39.

113. See *id.* at 38–39, 114–17.

114. See *id.*; Ruth Wilson Gilmore, *Race and Globalization*, in GEOGRAPHIES OF GLOBAL CHANGE: REMAPPING THE WORLD (Peter J. Taylor & Michael J. Watts eds., 2d ed. 2002), reprinted in ABOLITION GEOGRAPHY: ESSAYS TOWARDS LIBERATION, *supra* note 10, at 116–17 (“Ever since Richard M. Nixon’s 1968 campaign for US president on a ‘law and order’ platform, the United States has been home to a pulsing moral panic over crime. Between 1980 and 2000 the ‘law and order’ putsch swelled prisons and jails with 1.68 million people, so that today [2002] 2,000,000 women, men, boys, and girls live in cages.” (alteration in original)).

by 500% and systems of supervision by 300%.¹¹⁵ Under President Nixon's scheme, the juvenile and criminal legal systems were key to advancing the federal government's agenda to stoke fear by manufacturing an association between Black communities and drugs and danger, thereby pushing an implicit narrative of the "need" to maintain racial control in the name of public safety.¹¹⁶ In fact, members of President Nixon's White House staff later revealed that the war on drugs was a lie to create a system that would control Black communities, using the criminalization of drugs as a proxy.¹¹⁷

7. 1995 to 2005

Against this backdrop of mass incarceration, in 1995, criminologist John DiIulio released an inflammatory and infamous report (which he would later retract and regret) warning the nation of what he called "super-predators," which was yet another racially coded term used to control primarily Black youth.¹¹⁸ Following this report, the seeds of the manufactured association of Black youth with crime and danger planted during the war on drugs grew and were further propelled by racialized and sensationalized media coverage, leading to a public outcry for harsher mechanisms of control and punishment vis-à-vis juvenile and criminal courts.¹¹⁹ Language similar to that used during the period of enslavement in the 1800s to exclude Black youth from rehabilitative efforts was employed to prosecute Black children more harshly—and as adults—based on a narrative of their "incurability."¹²⁰ By the end of the 1990s, nearly every state had passed legislation to strengthen the control and punishment functions of the juvenile court system, all the while youth crime rates were actually declining.¹²¹ This race to surveil,

115. THE SENT'G PROJECT, MASS INCARCERATION TRENDS 1, 5–8 (2024) ("Over five million people in total are under supervision by the criminal legal system. Of these, nearly two million people, disproportionately Black, are living in prisons and jails instead of their communities. Compare this to the figures of the early 1970s when this count was 360,000."); Torres et al., *supra* note 94, at 124–25.

116. See SHIRALDI, *supra* note 94, at 38–43, 105–17.

117. See *id.* at 107 (quoting former President Richard Nixon's former assistant for domestic affairs stating, "We knew we couldn't make it illegal to be either against war or Black, but by getting the public to associate the hippies with marijuana and Blacks with heroin, and then criminalizing both heavily, we could disrupt those communities. We could arrest their leaders, raid their homes, break up their meetings, and vilify them night after night on the evening news. Did we know we were lying about the drugs? Of course we did.").

118. See THE CAMPAIGN FOR THE FAIR SENT'G OF YOUTH, THE ORIGINS OF THE SUPERPREDATOR: THE CHILD STUDY MOVEMENT TO TODAY 6 (2021); FELD, *supra* note 91, at 273; Elizabeth Becker, *As Ex-Theorist on Young 'Superpredators,' Bush Aide Has Regrets*, N.Y. TIMES (Feb. 9, 2001), <https://www.nytimes.com/2001/02/09/us/as-ex-theorist-on-young-superpredators-bush-aide-has-regrets.html> (on file with the Temple Law Review).

119. See Robin Walker Sterling, "Children are Different": *Implicit Bias, Rehabilitation, and the "New" Juvenile Jurisprudence*, 46 LOY. L.A. L. REV. 1019, 1054–57 (2013) [hereinafter Sterling, "Children are Different"].

120. See THE CAMPAIGN FOR THE FAIR SENT'G OF YOUTH, *supra* note 118, at 5; WARD, *supra* note 89, at 36–44; Sterling, "Children Are Different," *supra* note 119, at 1058–60.

121. See Sterling, "Children Are Different," *supra* note 119, at 1059–60; Carroll Bogert & Lynnell Hancock, *The Media Myth that Demonized a Generation of Black Youth*, THE MARSHALL PROJECT, <https://www.themarshallproject.org/2020/11/20/superpredator-the-media-myth-that-demonized-a-generation-of-black-youth> [<https://perma.cc/BND9-ZTVT>] (last visited Apr. 11, 2026); HOWARD N. SNYDER & MELISSA SICKMUND, U.S. DEP'T OF JUST., OFF. OF JUV. JUST. & DELINQ. PREVENTION, CHALLENGING THE MYTHS 1 (2000); *The Superpredator Myth, 25 Years Later*, EQUAL JUST. INITIATIVE (Apr. 7, 2014), <https://eji.org/news/superpredator-myth-20-years-later/> [<https://perma.cc/94K3-GF7Y>].

control, and punish based on sensationalized narratives designed to stoke racialized fears reveals the extent to which our country has been willing to bloat systems of punishment to exercise social control over anyone who poses a threat to white dominant power.¹²²

8. 2005 to Present

Over time and through a series of reforms, the juvenile legal system has shrunk considerably in size—but the beneficiaries of this reform have been selective.¹²³ Racial disparities continue to not only persist but also rise, even as the juvenile legal system is shrinking, revealing that the eugenics imagination of desirability and disposability remains a central pillar of juvenile court functioning to this day.¹²⁴ In fact, Professors Subini Annamma and Jamelia Morgan explain:

If we recognize that we are incarcerating the most vulnerable, it becomes more difficult to justify consequences and rehabilitation for only some—especially when we consider the forms of violence that all children in the juvenile legal system face. This is eugenics in practice, disappearing those who are outside the norm using racism and ableism to justify their disappearance from public view.¹²⁵

While the institution of juvenile courts has evolved over time to ensure its own survival,¹²⁶ relying on euphemistic language and narratives of rehabilitation to distract from its acts of oppression,¹²⁷ its eugenics imagination has advanced using a combination

122. Cf. WARD, *supra* note 89, at 102 (“Black America saw the birth of the juvenile court, like the popular film *Birth of a Nation* (1915), as a testament to the resilience and determination of a white democracy, rather than a cultural symbol or institutional resource for impending democratic inclusion.”).

123. See Annamma & Morgan, *supra* note 87, at 482 (“We are choosing to incarcerate our most marginalized youth: Youth of Color, youth with disabilities; LGBTQ youth; youth who have experienced abuse, neglect, and removal from home; multiply-marginalized youth; and, importantly, medically vulnerable youth.”); Kristin Henning, *Criminalizing Normal Adolescent Behavior in Communities of Color: The Role of Prosecutors in Juvenile Justice Reform*, 98 CORN. L. REV. 383, 408 (2013) (“Considering the scope of racial disparities in the juvenile justice system today, it would be easy to conclude that mechanisms of social control are still at work to keep children of color in their assigned place in society.”).

124. See THE SENT’G PROJECT, BLACK DISPARITIES, *supra* note 60, at 1 (“Incarceration disparities between Black and white youth have remained stubbornly high over the past decade. As of 2023, the most recent data, Black youth were 5.6 times as likely to be placed (i.e., detained or committed) in juvenile facilities as their white peers. The disparity is now at an all-time high, based on data that starts in 1997.”); see also HOCKENBERRY & PUZZANCHERA, *supra* note 61, at 6, 21 (showing that the overall number of delinquency cases has decreased 73% between 2005 and 2021 and yet racial disparities have increased over the same time period); Nam-Sonenstein & Sawyer, *supra* note 60 (detailing how racial disparities have worsened over time in the juvenile legal system, particularly among Black and Indigenous youth).

125. Annamma & Morgan, *supra* note 87, at 498.

126. See SPINAK, *supra* note 84, at 229–30 (“This chameleonic ability has allowed the court to sustain its basic structure and approach and avoid any significant challenges to its continued existence.”).

127. See *id.* at 257 (“The family court’s belief in its ability to do good has salvaged its conscience and prevented it from confronting the harm that even well-intentioned do-gooding has caused.”); cf. Macedo, *supra* note 19, at 16 (“Euphemism is a form of language that not only mystifies and distorts reality; it is also a much-used technique by dominant forces (the media, political pundits, the educated class) to distract attention from the real issues that ail society The suppression or distortion of language is a tactic, that according to Arundhati Roy, also appears as ‘usurping words and deploying them like weapons . . . using them to mask intent and to mean exactly the opposite of what they have traditionally meant’”).

of old and new tactics to maintain a steady practice of social control.¹²⁸ This is the very reality we exist in today as we continue to face the weaponization of public safety narratives that aim to stamp out the futures of children who are deemed “other” by those in power through systems of punishment.¹²⁹

As such, embracing an abolitionist ethos for youth defenders who are working inside this system requires reckoning with the lineage of racialized social control embodied within the juvenile legal system.¹³⁰ From the exclusionary practices of the houses of refuge to the juvenile courts that upheld Black Codes and convict leasing systems, followed by the use of the courts to uphold state-sanctioned racial violence and suppression of civil rights activities, to the war on drugs and the super-predator myth, the juvenile legal system has always functioned as an apparatus of white dominant power through its exercise of social control.¹³¹ Naming this reality gives us space to move with an intention in our practice to shift the flow of power from systems and to communities, and to see that, as invoked by Boggs: “Another World Is Necessary, Another World Is Possible, Another World Has Already Begun.”¹³² Meaning, as youth defenders reckon with the unbroken lineage of racialized social control within the juvenile legal system, it will lead us to see that the system must be dismantled and that we must align our youth

128. See Ferrer, *supra* note 86, at 890 (“Given that the court’s foundation underpins a control approach that masquerades as care for the child, it is no wonder that the juvenile court developed into a tool of social control rather than a meaningful social safety net.”); Annamma & Morgan, *supra* note 87, at 494 (“Constructions of juvenile legal systems as rehabilitative and therapeutic belie the actual nature of the system itself.”).

129. See, e.g., Taylor Revare, *Superpredator: How a 90s Era Myth Continues To Shape Louisiana Justice Policy*, LA. CTR. FOR CHILD. RTS. (June 2, 2025), <https://lakidsrights.org/2025/06/superpredator-how-a-90s-era-myth-continues-to-shape-louisiana-justice-policy/> (on file with the Temple Law Review). See generally THE SENT’G PROJECT, THE REAL COST OF ‘BAD NEWS’: HOW MISINFORMATION IS UNDERMINING YOUTH JUSTICE POLICY IN BALTIMORE (2024) (analyzing local news coverage in the Baltimore area and discussing how the news has been skewing information about youth crime and using “fear-inducing rhetoric” to shift public safety narratives); Sandhya Dirks, *Stories About Crime Are Rife with Misinformation and Racism, Critics Say*, NPR (Nov. 8, 2022, at 14:45 ET), <https://www.npr.org/2022/11/08/1134550280/stories-about-crime-are-rife-with-misinformation-and-racism-critics-say> [<https://perma.cc/6HKP-PT36>]; KRISTIN HENNING, THE RAGE OF INNOCENCE: HOW AMERICA CRIMINALIZES BLACK YOUTH (2021) (confronting how systems of policing and punishment have criminalized the childhoods of generations of Black children); Annamma & Morgan, *supra* note 87, at 492 (“First, Youth of Color and Youth of Color with disabilities are regarded as more adult-like, more threatening, and more dangerous than similarly situated white youth.”); JAYADEV, *supra* note 34, at 107 (“While the court language may have different terms based on jurisdiction, at its base the decision is a declaration that a young person is so irredeemable, so incapable of growth and change, that the right to a future must be taken away.”).

130. See BENJAMIN, *supra* note 2, at 43 (“Moving forward, then, requires remembering who we are The historical mission of our time must entail, then, an honest reckoning with the existing stratification of humanity as a starting point for any reinvention.”); Annamma & Morgan, *supra* note 87, at 483 (“Recognizing these links to historical forms of oppression situates existing social structures not as just derivations of old systems, but as contingencies upon which the current punishment and policing systems are built.”).

131. See WARD, *supra* note 89, at 41–42, 63–66, 118, 207; SHIRALDI, *supra* note 94, at 38–39; FELD, *supra* note 91, at 273–74; cf. MEADOWS, *supra* note 15, at 158 (“If you want to understand the deepest malfunctions of systems, pay attention to the rules and to who has power over them.”).

132. BOGGS & KURASHIGE, *supra* note 13, at 132 (referring to a statement drafted by Grace Lee Boggs with Maria Mies); see also JAYADEV, *supra* note 34, at 174 (“A new world is possible. And in some ways, it is already here!”).

defense practice to create fertile soil to shift power from systems of punishment to communities of care.¹³³

C. *Commit to a Transformation Within Ourselves*

*Transform yourself to transform the world.*¹³⁴

Who we are, and who we are becoming, matters. Wong teaches us about the “Human Quotient” or “H_u”:

The “who we are” of the H_u is much more than nationality, race, identity, or any other category of demographics

. . . .

. . . [It is] whether we have the capacity to have and behave with humanity. To see ourselves as members of the Great and Humble Human Race. To evolve toward our better selves.¹³⁵

This matters because “[i]t is the H_u that will determine whether we—the human race—will make it fruitfully to the other side of this fraught and fought timeplace.”¹³⁶ As we build and engage in movements that will determine the fate of our interdependent humanity, Boggs reminds us, “[a]t the heart of movement building is the concept of two-sided transformation, both of ourselves and of our institutions.”¹³⁷ Similarly, activist Mariame Kaba guides us: “First, when we set about trying to transform society, we must remember that we ourselves will also need to transform.”¹³⁸

As we embrace our shared horizon of an interdependently thriving humanity, while we reckon with the ways that we exist in dominant systems that have stratified humanity, we must come into an awareness of the oppressive and inflammatory structures that exist within our own minds. Professor Benjamin explains that our imaginations can “become infected by a ‘fatal coupling of power and difference.’”¹³⁹ Kaba also cautions, “We have all so thoroughly internalized these logics of oppression that if oppression were to end tomorrow, we would be likely to reproduce previous structures.”¹⁴⁰ Likewise, brown writes:

We live (and die) inside systems that were imagined centuries ago by those ambitious and narrow minds of colonists and patriarchs. We live inside the lineage of relatively ignorant imaginations, which were obsessed with protection and domination. But we know so much more now. We know each other’s pain and complexity now; we know we are one interconnected ecosystem¹⁴¹

133. See *infra* Part II.E for a discussion of courageous experiments taken on by youth defenders to shift power from systems of punishment to communities of care.

134. BROWN, EMERGENT STRATEGY, *supra* note 31, at 53 (quoting Grace Lee Boggs); *Grace Showed Up Today*, ADRIENNE MAREE BROWN (June 27, 2019), <https://adriennemareebrown.net/2019/06/27/grace-showed-up-today/> [<https://perma.cc/6QMB-J662>].

135. WONG, *supra* note 5, at 79–80.

136. *Id.* at 80.

137. BOGGS & KURASHIGE, *supra* note 13, at 100.

138. KABA, WE DO THIS ‘TILL WE FREE US, *supra* note 4, at 4.

139. BENJAMIN, *supra* note 2, at 64.

140. KABA, WE DO THIS ‘TILL WE FREE US, *supra* note 4, at 4.

141. BROWN, LOVING CORRECTIONS, *supra* note 1, at 145–46.

Settling into an awareness of how oppressive imaginations inside our minds normalize our thinking and actions, an abolitionist ethos demands internal accountability in a way that frees us to move forward as opposed to trapping us in the energy of what was.

Internal accountability is engaging in a lifelong practice of reflection and learning as we work toward wholeness. Brown teaches, “it is time to deepen our practices of internal accountability. How do we answer for our own impacts and choices? How do we discern what deserves our attention, what boundaries we honor, what we communicate and how?”¹⁴² As we cultivate a practice of internal accountability, we find healing, intention, and space to let go of the binaries that divide and dominate and embrace wholeness both within ourselves and humanity.¹⁴³ In this practice, we each take responsibility for how we are moving our continuum of humanity and find space in our imaginations to move beyond oppression.¹⁴⁴

It is through this process, that starts within ourselves, that we can shape our abolitionist ethos to embody an external practice. As brown reflects, “I am a cell-sized unit of the human organism, and I have to use my life to leverage a shift in the system by *how* I am, as much as with the things I do.”¹⁴⁵ Practicing an abolitionist ethos, then, grounds us in our internal purpose. It calls us in to reflect about how we show up in spaces, what we are paying attention to, what our values are rooted in, what decisions we are making, and what we are modeling—an abolitionist ethos shapes our being, and it starts with an internal transformation. For youth defenders, this means working every day *on purpose*—from our interactions with clients and colleagues to the arguments we are making in court and the relationships we are building in the community—every piece

142. *Id.* at 142.

143. See BOGGS & KURASHIGE, *supra* note 13, at 38 (“‘A human being,’ Einstein concluded, ‘is a part of the whole, called by us Universe, a part limited in time and space. He experiences himself, his thoughts and feelings as something separated from the rest—a kind of optical delusion of his consciousness. This delusion is a kind of prison for us, restricting us to our personal desires and to affection for a few persons nearest to us. Our task must be to free ourselves from this prison by widening our circle of compassion to embrace all living creatures and the whole of nature in its beauty.’” (internal quotation marks omitted)); BROWN, *LOVING CORRECTIONS*, *supra* note 1, at 146 (“The fragmentation that has resulted from colonial constructs of race, gender, class, and power has wounded many of us so deeply that we identify more with the wound than with any experience of wholeness or oneness. Because we identify with the wound, we fight against each other over differences that don’t need to be battles. We opt into these constructs, often without conscious choice.”); JOHNSON & BURTAINE, *supra* note 18, at 76 (“Do we want to be in a constant state of inflammation because of the trauma and violence in our world? Or could we become inflamed with a desire to heal fractures that exist for us personally, interpersonally, and culturally? Could we become inflamed with the desire to do what we can to cultivate harmony in a disharmonious world and allow justice to be realized?”).

144. See BELL HOOKS, *ALL ABOUT LOVE: NEW VISIONS* 57 (2001) (“The more we accept ourselves, the better prepared we are to take responsibility in all areas of our lives. . . . Taking responsibility means that in the face of barriers we still have the capacity to invent our lives, to shape our destinies in ways that maximize our well-being.”); BROWN, *LOVING CORRECTIONS*, *supra* note 1, at 145 (“This, to me, is the work of internal accountability. We are cultivating within ourselves a transformative practice that helps us heal from what the world has been, while generating what the world will be.”); NPNEWAMERICANS, *Keynote by Norma Wong at the National Immigrant Inclusion Conference (NIIC) 2024*, at 23:50 (YouTube, Jan. 19, 2025), <https://www.youtube.com/watch?v=J4QhPSIN6jY> (on file with the Temple Law Review) (“We have yet to figure out what it means to be whole. But what I know is that cannot exist unless one by one by one we hold humanity accountable, even more than governments.”).

145. BROWN, *EMERGENT STRATEGY*, *supra* note 31, at 54.

of our daily actions is a manifestation of an internal practice that holds our biases and oppressive logics accountable. Ultimately, it is an internal-external practice of settling into an awareness that, in addition to the work itself, who we are and how we are showing up are equally important.

In this process, as we come to find an internal dwelling place for abolition to reside and transform us, what waits is an expansive practice of love. Professor Robin D.G. Kelley explains, “here is the catch: if we are committed to an abolitionist future, we have no choice but to love all.”¹⁴⁶ Lawyer, writer, and organizer Derecka Purnell also reflects, “*Love* offered me more agency than resistance or trauma could, and my growing desire to learn and take risks with others became a source of inspiration for my freedom. For our freedom.”¹⁴⁷ In fact, writer and theorist bell hooks notes that “all the great movements for social justice in our society have strongly emphasized a love ethic.”¹⁴⁸ A love for people, a love for community, and a love for the world grounds us in the fight for freedom and liberation for all.¹⁴⁹ Love opens portals to new worlds.¹⁵⁰

D. *Engage in Collective Action Toward a Shared Vision of Interdependence*

*When we experience a taste of collective power, our courage will grow, as we recognize that we are stronger together and that we are not alone.*¹⁵¹

Interdependence is key to collective action.¹⁵² Interdependence means, as Wong explains, “we are each as whole and as strong as we can be at any given moment, and yet we choose to be intertwined.”¹⁵³ It is different from “codependence,” which is when “we lean upon each other’s strengths, weaknesses, tendencies.”¹⁵⁴ Embracing interdependence is also an antidote to individualism, which kills collective power.¹⁵⁵ So, the practice of cultivating relationships grounded in interdependence becomes

146. Robin D.G. Kelley, *Black Study, Black Struggle*, BOS. REV. (Mar. 1, 2016), <https://www.bostonreview.net/forum/robin-kelley-black-struggle-campus-protest/> [https://perma.cc/E86S-VKB4].

147. DERECKA PURNELL, *BECOMING ABOLITIONISTS: POLICE, PROTESTS, AND THE PURSUIT OF FREEDOM* 110 (2021).

148. HOOKS, *supra* note 144, at xix.

149. See BOGGS & KURASHIGE, *supra* note 13, at 96–97 (“As Jimmy Boggs used to remind us, revolutions are made out of love for people and for place.”); RITCHIE, *supra* note 11, at 234 (“[J]ustice is what love looks like in practice.” (quoting Rachel Cañdor)); FREIRE, *supra* note 19, at 89–90 (“Dialogue cannot exist, however, in the absence of profound love for the world and for people. . . . Because love is an act of courage, not of fear, love is a commitment to others. . . . If I do not love the world—if I do not love life—if I do not love people—I cannot enter dialogue.”).

150. See BROWN, *EMERGENT STRATEGY*, *supra* note 31, at 9–10 (“Perhaps humans’ core function is love. . . . If the goal was to increase the love, rather than winning or dominating a constant opponent, I think we could actually imagine liberation from constant oppression.”).

151. HAYES & KABA, *supra* note 49, at 33.

152. See RITCHIE, *supra* note 11, at 137 (“In order for complex decentralized systems to function well, they must be structured around interdependence . . .”).

153. WONG, *supra* note 5, at 63.

154. *Id.*

155. See RITCHIE, *supra* note 11, at 137 (“[I]f one ant, bee, or slime mold cell starts to operate by its own rules or only in its self-interest, the collective benefits of operating as a complex system diminish. If every individual does it, the system collapses. In addition to constant communication and connection, recognition of interdependence provides necessary cohesion to decentralized organizing.”).

imperative to an abolitionist ethos—it is the way in which our power grows to become greater than the sum of our parts.¹⁵⁶

Relationships, then, are at the core of transformative work, and choosing to cultivate relationships is a daily practice that moves us closer to an interdependent horizon.¹⁵⁷ In this vein, Boggs teaches, “the real engine of change is never ‘critical mass’; dramatic and systemic change always begins with ‘critical connections.’”¹⁵⁸ When we embrace the idea “that the strength of our movement is in the strength of our relationships,” as brown describes, we tap into a relational practice of vulnerability, empathy, humility, and listening without judgment to scale up our efforts in the movement by deepening our relationships.¹⁵⁹ It also brings us to a place of freedom.¹⁶⁰ Kaba and author Kelly Hayes explain what this place of freedom feels like: “When we are no longer ruled by a manufactured fear of one another, we experience a form of liberation. . . . [A] kind of unshackling that allows us to begin the process of dismantling individualism—a violent ideology that has siloed us and stifled our collective potential.”¹⁶¹

Thus, the very practice of cultivating intentional relationships becomes a critical act of resistance. Systems of oppression benefit when we are divided.¹⁶² In fact, they rely on our division to exist, such that “[i]t is dangerous to the systems of power if we talk to one another and speak our truths,” as writers and activists Michelle Cassandra Johnson and Amy Burtaine illuminate.¹⁶³ And so, we must connect deeper and make the *choice* to practice relationships. As Wong says, “We must interrupt the habit of believing that we have no choice but [to] do this alone and choose into the kinship of teams and community.”¹⁶⁴

Practicing relationships is also fractal, an idea described by brown to indicate that our micro actions at a relational level shape systemic patterns at a large scale and

156. See WONG, *supra* note 5, at 62–63 (“Among the most critical cultivation practices is the cultivation of relationship. . . . In relationship, the 1 + 1 is often > 2.”).

157. See HAYES & KABA, *supra* note 49, at 47 (“I am grateful because I realized that relationship building had to be an everyday, every-minute commitment, because movements are based on oppressed people coming together, because we have people power. So we need people for the people power.” (quoting Ejeris Dixon)).

158. BOGGS & KURASHIGE, *supra* note 13, at 50; see also BROWN, EMERGENT STRATEGY, *supra* note 31, at 20 (“Grace started asking us what our movements would look like if we focused on critical connections instead of critical mass. We need each other. I love the idea of shifting from ‘mile wide inch deep’ movements to ‘inch wide mile deep’ movements that schism the existing paradigm.”).

159. See BROWN, EMERGENT STRATEGY, *supra* note 31, at 10–11.

160. See RUTH WILSON GILMORE, *Scholar Activists in the Mix*, 29 PROGRESS HUM. GEOGRAPHY 177, 178 (2005), reprinted in ABOLITION GEOGRAPHY: ESSAYS TOWARDS LIBERATION, *supra* note 10, at 93 (“[F]reedom is a place.”).

161. HAYES & KABA, *supra* note 49, at 33 (“When we challenge our anxieties about ‘other people’ and begin to see unlikely points of connection as points of potential stability and strength, we become more powerful.”).

162. See JOHNSON & BURTAINE, *supra* note 18, at 143 (“Systems of oppression often rob us of our ability to use our voices. They are built to divide and conquer, to obfuscate and pull apart. Those in power (at the top of any hierarchy or ‘ism’) know that an organized collective of people is a threat to the system, so they intentionally cut off our communication, both with one another and with our own inner knowing.”).

163. *Id.*

164. WONG, *supra* note 5, at 76–77.

determine who we are as a collective.¹⁶⁵ As we practice growing in relationships in our personal lives, as well as with the youth and families we serve, community partners, and each other, we are also practicing the creation of collective power. As Professor shea howell paints, “When the water crystals coalesce into a snowflake and then into an avalanche or a glacier, their power becomes undeniable.”¹⁶⁶ Similarly, Ritchie describes how relationships can create “systems of influence,” which hold power to create transformative shifts in complex systems.¹⁶⁷ When we invest in critical connections, we form networks of relationships based on shared values and purpose, which can evolve into “communities of practice,” spaces to grow new knowledge by sharing information, strategies, and support with each other.¹⁶⁸ In this interconnection, a system of influence emerges, “which is not only greater than the sum of its parts, but of a different character altogether.”¹⁶⁹ Surprisingly, systems of influence contain power and influence that exceed those of each individual but become part of each individual once formed.¹⁷⁰ Ritchie calls this effect “an element of magic in how critical connections, small structures, networks, and communities of practice shape and shift larger systems.”¹⁷¹

Meaning, practicing with an abolitionist ethos requires focusing on building relationships—both within our youth defense community and beyond. And in our relationships, youth defenders must create and lean into spaces where we regularly share information and strategies in support of one another, forming communities of practice that shape our system of influence. This can look like cultivating an intentional practice of building relationships within public defense offices, with other youth defenders and advocates locally, regionally, and nationally, and in our local communities to share strategies and engage in cross collaboration and then integrating the fruits of our various relationships into our individual youth defense advocacy. As an example, through our relationships with other youth defenders and advocates, we can create and actualize collective youth defense strategies; and through our relationships with community leaders, we can create important alternatives to incarceration and surveillance that we can advance in our individual advocacy—all of which are grounded in a shared vision of our why and where we are headed as a collective. As we move together, we can channel

165. See BROWN, EMERGENT STRATEGY, *supra* note 31, at 51–66 (explaining the concept of “fractals”—“How we are at the small scale is how we are at the large scale. The patterns of the universe repeat at scale”).

166. RITCHIE, *supra* note 11, at 114 (quoting shea howell).

167. See *id.* at 66–69 (“When systems of influence are generated by networks and communities of practice, ‘efforts that hovered at the periphery suddenly become the norm . . . practices developed by courageous communities become the accepted standard.’ In other words, culture shifts, shaping larger structures.” (omission in original) (quoting MARGARET WHEATLEY & DEBORAH FRIEZE, THE BERKANA INST., USING EMERGENCE TO TAKE SOCIAL INNOVATION TO SCALE 6 (2006), <https://margaretwheatley.com/articles/using-emergence.pdf> [<https://perma.cc/LD6M-CF6W>])).

168. *Id.* at 68.

169. *Id.* at 67.

170. *Id.* (“[A] system of influence ‘possesses qualities and capacities that were unknown in the individuals. It isn’t that they were hidden; they simply don’t exist until the system emerges. They are properties of the system, not the individual, but once there, individuals possess them.’” (quoting WHEATLEY & FRIEZE, *supra* note 167, at 1)).

171. *Id.* at 235.

our power to open critical passageways to transform systems of punishment from the inside, toward our shared horizon of interdependence.

E. Courageously Experiment with Change

*Unless we're willing to experiment, we can't expect big breakthroughs. One way to do that—to make risk more approachable—is to run small tests. . . . A Trojan Mouse instead of a Trojan Horse. Unlike a Trojan Horse, a Trojan Mouse's job isn't to win the war all at once; its job is to test the waters and inform future tactics.*¹⁷²

When youth defenders embrace an abolitionist ethos by finding alignment in a shared purpose, reckoning with history, transforming ourselves, and building relationships, we are creating fertile soil for intentional and targeted *action* to do our part in the creation of a just world. Because “[n]one of us has all of the answers, or we would have ended oppression already,” as Kaba reminds us, now is the time to experiment.¹⁷³ It is through the act of experimentation that we can collectively embrace the unknown to upend systems of harm and weave new systems of care. Our courage¹⁷⁴ is found in our collective power grounded by the depth of our relationships.¹⁷⁵ At the intersection of relationships and experimentation, generative possibilities for change emerge.¹⁷⁶

At a meta level, as youth defenders, our actions in the juvenile legal system will inevitably create ripples in the larger, interdependent systems we all exist in.¹⁷⁷ The question is in what direction are our ripples flowing along the continuum of humanity—are we creating ripples toward positive change or negative change, justice or injustice, freedom or oppression? This question is an important one for youth defenders because we are also uniquely positioned to not only practice inside the very system that must be abolished, but also to act as the only ones inside that system with a legal and ethical mandate to fight for the freedom of youth as directed by their expressed interests and co-created with youth inside the very system. This places youth defenders in a unique and critical space to shape change both individually and systemically. Individually, youth defenders, through the cultivation of relationships and zealous advocacy, are positioned to mitigate the direct harm of the juvenile legal system on young people. By default, the machinery of the juvenile legal system will process youth to a place of control, surveillance, and punishment, configured in a way that will always be unfair because the

172. Jackie Mahendra, *Wheeling in the Trojan Mice*, STAN. SOC. INNOVATION REV. (May 19, 2016), https://ssir.org/articles/entry/wheeling_in_the_trojan_mice [<https://perma.cc/55MN-NNZB>].

173. Kaba, *The Journey Continues*, *supra* note 50, at 241.

174. Teacher and movement elder Norma Kawelokū Wong defines courage as “not an absence of fear; rather, it is what we are about in the face of fear and doubt.” WONG, *supra* note 5, at 51–52.

175. See HAYES & KABA, *supra* note 49, at 97 (“When we believe in each other, we are more likely to take risks and to invest ourselves in possibility, even when our own hopes are not fully formed. In this way, our relationships and the work of relationship building can change our sense of what’s possible.”).

176. See RITCHIE, *supra* note 11, at 69 (“We effect systems change through relationship and experimentation, not by blueprint.”).

177. Cf. WHEATLEY, *supra* note 17, at 45 (“However, changes in small places also affect the global system, not through incrementalism, but because every small system participates in an unbroken wholeness. Activities in one part of the whole create effects that appear in distant places. Because of these unseen connections, there is potential value in working anywhere in the system. We never know how our small activities will affect others through the invisible fabric of our connectedness.”); BOGGS & KURASHIGE, *supra* note 13, at 50 (describing Margaret Wheatley’s research in the context of organizing).

binary of desirability and disposability that the system relies on is based on fixed characteristics of youth, such as race, identity, and disability. But because we are placed inside, youth defenders, through our advocacy and relationships, can navigate the crushing weight of the system to lessen its immediate impact on young people by zealously advocating for their defense in a way that walks *with* youth and their communities while honoring their wholeness, stated interests, and goals.

At the same time, youth defenders can also work systemically by leveraging our frontline positionality to observe the sensitivities of the juvenile legal system.¹⁷⁸ In this awareness, we can strategize as a community to track, identify, and bring to account the ways in which the system and those operating the system are harming youth and violating their rights. And together, we can experiment with creating change inside the system, growing space for power to shift from systems of punishment to communities of care. Community advocates Fox Richardson and Rob Richardson point to the saying “[e]nough pressure on any pipe will make it burst” to describe the power of participatory defense—similarly, the practice of zealous youth defense has the “force to make the pipes of this system burst wide open.”¹⁷⁹

Just as abolition is being created right now by communities across the country, there are many youth defenders who are currently practicing with an abolitionist ethos inside the juvenile legal system to disrupt its everyday injustices and challenge the status quo. In 2024, the Gault Center launched a system transformation initiative¹⁸⁰ with the release of the National Youth Defense System Standards¹⁸¹ to build from nearly three decades of work across the youth defender community to uphold the zealous representation of all youth. With this initiative, the Gault Center is organizing with youth defenders to create disruption inside juvenile courts by relentlessly demanding the constitutional rights of all youth, knowing that the system is dependent on its everyday injustices against youth to function.¹⁸²

As part of our framework for youth defense collective action, the Gault Center leans into the concept of the “Trojan Mouse,” where youth defenders engage in “small, light, nimble experiments” to test what works and what can be improved and to come together in communities of practice to inform what we shift, what we try next, and how we move forward.¹⁸³ Iterations of Trojan Mice experiments and communities of practice have

178. See WHEATLEY, *supra* note 17, at 45 (“Acting locally allows us to be inside the movement and flow of the system, participating in all those complex events occurring simultaneously. We are more likely to be sensitive to the dynamics of this system, and thus more effective.”).

179. JAYADEV, *supra* note 34, at 159.

180. See *Youth Defense System Transformation*, *supra* note 14.

181. See generally THE GAULT CTR., *supra* note 37 (outlining constitutional mandates that juvenile courts must follow as a tool for youth defense lawyers and advocates to strengthen the rights of youth in juvenile court).

182. See HERZING & PICHÉ, *supra* note 5, at 78 (“[L]egal advocacy, when used toward abolitionist ends, can be a powerful strategy to achieve lasting change.”); Roberts, *supra* note 28, at 113 (“[L]awyers and legal scholars can play an important role in helping to articulate and present the demands of people subjected to carceral punishment for strict adherence to the Constitution’s abolitionist directives—even when they anticipate failure.”).

183. Mahendra, *supra* note 172. The Gault Center would like to thank Dr. Linda Sprague Martinez for introducing us to the concept of the Trojan Mouse as a theory for social change. We are grateful for the abundance of wisdom that Dr. Sprague Martinez shared with us in our evolutionary process of thinking through the role of youth defenders in abolition—thank you for walking with us.

created ripples toward justice across the country. Youth defenders are building “a million different little experiments” to create more portals to healing and care while quietly building up pressure inside the pipes of the system until it “burst[s] wide open.”¹⁸⁴ Examples of Trojan Mice experiments led by youth defenders that challenge the status quo include efforts to activate defenders across the state to make the same demand for probable cause hearings on every case; creating coalitions to push back against harmful legislation; partnering with community leaders to demonstrate the power of true care and healing to fight against incarceration; challenging standard probation orders to lessen surveillance over youth; assessing, documenting, and litigating the constitutionality of court practices, policies, and norms; and importantly, sharing back these strategies to the larger youth defense community to create ripples of informed collective action strategies across the country.¹⁸⁵

CONCLUSION

Youth defenders are critical in building toward a just, equitable, and interdependent future. Embracing an abolitionist ethos where our decisions and day-to-day practice are shaped by an overall goal to build and experiment toward a shared horizon of interdependent thriving is one way youth defenders can build momentum for transformative change while working inside the very system that must be dismantled. There are many ways to start and generate opportunities to grow, and this Essay is an invitation for youth defenders to build from where you are, at any entry point: (1) embrace a shared vision that points toward a horizon of interdependent thriving where all children are free to grow in communities of care, (2) reckon with the juvenile legal system’s lineage of racialized social control and the need to shift power to communities, (3) commit to a transformation within ourselves, (4) engage in collective action toward a shared vision of interdependence, and (5) courageously experiment with change.

There is much more work that remains, and in that need, an abundance of transformative and generative possibilities within ourselves, our community, and our humanity await. As we do the hard work of connecting, cultivating, and creating, this Essay concludes with Wong’s call:

In the slipstream of our collective spirit
Waging peace
As our ancestors hoped we would
And descendants counted on
We arise.¹⁸⁶

184. See KABA, WE DO THIS ‘TILL WE FREE US, *supra* note 4, at 166; JAYADEV, *supra* note 34, at 159.

185. The Gault Center convenes a variety of spaces for youth defenders to share, build, and celebrate Trojan Mice experiments throughout the year, including our annual Youth Defender Leadership Summit, where youth defenders are awarded “Trojan Mice Awards” to celebrate and build upon the many experiments that youth defenders are practicing toward our shared horizon of interdependent thriving. See *Initiatives: Youth Defender Leadership Summit*, THE GAULT CTR., <https://www.defendyouthrights.org/initiatives/youth-defender-leadership-summit/> [<https://perma.cc/MAD2-WJE5>] (last visited Apr. 11, 2026).

186. WONG, *supra* note 5, at 85.