Criminal Justice Platform Europe

Criminal Justice Summer Course
Barcelona, 2-5 July 2019

WORKSHOP REPORT

Workshop Title:	**Transforming conflict in a polarized society**
Moderator:	**Emanuela Biffi & Edit Törzs**
Leader 1:	**Gian Luigi Lepri**
Leader 2:	**Marieke Arnou**
Participants:	**12 (from 7 countries)**
Note taker:	**Emanuela Biffi & Edit Törzs**
Impression:	The workshop offered a clear link between the opening plenary and the potential of restorative justice in polarized communities by bringing in the topic of identity, in- and out-group mechanisms, othering and basic introduction of restorative justice, its principles and methods. A concrete example of restorative work in a polarized community setting was offered through the experiences presented from Tempio Pausania (Italy). The group was open, active, committed and appreciated the workshop contents.

1. Introduction

These series of workshop sessions explored the dynamics of identity, in- and out-group mechanisms and how to work with different people experiencing polarization, with the aim of engaging communities and making use of differences as an opportunity for growth and transformation. The trainers shared ideas, case studies, stories and practical tools for reducing tensions, encouraging participation and inclusion, promoting dialogue and empowering different (vulnerable) groups involved in conflicts in polarized societies, as well as explored the limits of such restorative interventions. Practical examples of restorative methods applied in a community conflict in Italy were used as a case study.

2. Workshop Methods

The facilitators of the workshop used an interactive methodology to enable all participants to share their own experiences. The facilitators used creative tools, small group work, case studies, short films, work with images and power point presentation.

3. Summary of Presentations

- Session 1 (Marieke and Gian Luigi)

Participants (and trainers and facilitators) were asked to introduce themselves with the story of their name. Then we linked this to identity and personal stories and worked to the answer question "who are you" (by drawing and words).

- Session 2 (Marieke)

This session dealt with how one's identity is composed, what are the given parts of identity (inner circle) and what are those, which are changeable (outer circle).

It is painful if someone expresses negativity towards the core identity elements, which is not changeable. We tend to put people into strict categories, we tend to go to people similar to us, we base this judgment based on little info from the inner circle, and only after we find out about the outside circle.

Judgments are often made based on incomplete information: this is not wrong; we must make interpretations as survival mechanism, but we don't only do it for things but also for people. The only thing we can do is to realize that there are many single stories and many truths.

Then we explored group formation based on identity elements. We have in-groups: we understand how things work, we feel to belong, we are quite positive, we see the group and the individuals composing it, the group defines the norm on how things are to be done (moral judgment). We have out-groups: we don't feel at ease, we don't understand how things are done, we tend to speak about one group and not a collection of individuals, and they are all the same, and what/ how they do is abnormal and wrong.

In-out groups have moral implications: us-them. 1. Humans feel more empathy for the group are part of. It is easier to harm people that are not part of our group. 2. If somebody in our group makes a mistake it is easier to forgive: we are less harsh in our judgements. This part was facilitated by a video of the experiment by Jane Elliot: "Us vs. Them dynamics: A class divided" (August 1984).

Core of processing of othering mainly driven by media and politicians not by facts. There is a political strategy of using othering and to keep gaining power by promising to fix the issue.

Definitions of polarization: 1. Project BRIDGE by EFUS on resilience, polarization. 2. RAN

Video on four game changers (pushers, joiners, silent and bridge builders). 1. People taking roles 2. Puzzled by the bridge builder who takes sides and fuels thoughts 3. Role of people in the middle focused on personal issues, which make them vulnerable, not on their opinions

Allport's ladder of prejudice from bias to prejudice to violence and collective violence was presented.

Opposite to polarization is social cohesion and belonging: how to foster these to counter us vs. them?

- Session 3 (Marieke)

Case study on a racist incident in a supermarket – conflict between two ladies. We worked on questions in three small groups. Summary of the outcomes: In CJ an incident occurred, and the first questions are: Is this a crime? Has a law been broken? Professionals will take care of this.

Laws are an abstraction of our behavior (e.g. hate speech is an abstraction not really what happened in reality). Importance to look at parties affected by the incident, including the community. Attention given to harm (material, physical, etc.) but not the full experience.

Definition of restorative justice, aims, practices, key principles.

This case in reality was not a successful RJ case but still interesting for different perspectives: 1. RJ is not a standard programme to apply but to build and understand with people, to avoid further polarization 2. Voice is given back to people, as at the end one of them still decides to go back to court to make it a wider issue not a personal issue on racism, 3. Vulnerability of the mediator, who couldn't be multi-partial and was given support to strengthen these skills.

Note on the equality body: 1. Every country should have one, 2. Every organization should have one.

Main questions asked in a RJ process: 1. What happened? Why? Motivations? 2. Impact/ effect? Feelings? Needs? 3. What is needed to move forward? What do you need and what do you offer? What can you do?

How to use this approach outside the criminal justice system? See ALTERNATIVE project on justice and security in intercultural conflicts.

- Session 4 (Gian Luigi)

Reflections and practice ideas on what has been done in Sardinia with Mafia crimes and the community polarization.

What do we know about Mafia? 1. Originally from the south of Italy to protect from the outsiders and invaders 2. Structured organisations, with hierarchy, loyalty, omertá, values, control 3. International organized crime

Mafia in Italy (Europol): control and exploitation of territory and community; family, power, respect and territory are fundamental to understand. Media influenced a lot the image we have of Mafia, which is not realistic.

Mafia is not an anti-state, but a parallel coexisting state. Sense of belonging to the family. Values (e.g. respect) reinterpreted to serve other needs. Moral disengagement helpful to justify one's behavior. Respect generated out of fear not out of admiration.

Tempio Pausania (North-East Sardinia): the RJ team in Sassari university was contacted by the prison director to come to the town to fix the conflict between the city and the prisoners of a newly built prison for Mafia offenders. Prisoners collected money to restore a kindergarten and on the media

they said that parents didn't want to send their children in a place restored with bloody money. For the town hall the prison meant income because of the employment.

Project: 1. Restorative vision in the community (fragmented society, with growing hostility, many prejudices, hate speech) 2. To reduce reoffending, encourage responsibility and participation 3. Pro-action instead of reaction 4. Community are the silent ones in polarization 5. Prevention model 6. Establishment of a social innovation community

Inclusion is not always a correct term, because that's a response to exclusion. That's why we use the term wellbeing (where inclusion may be used), because inclusion doesn't mean people are doing well.

Results: different ones, some linked to RJ, others to community programs. 1. At the level of perception: hope and optimism are crucial in promoting wellbeing and resilience, the prison became a new place to change issues in society, something new happens which is better, 2. Integration: after one year of work the city council took place inside the prison, so that all politicians and citizens had to pass though the security, first time prisoners recognized themselves as citizens of the city where they were residents, not only prisoners. 4. Schools didn't close with the arrive of 250 prisoners, exchanges among them. TP and Sassari university cooperation. 4. Innovation: one of the outcomes was to set up the Restorative Service of Psycho Counselling designed for victims, but a RJ service.

Preparation phase was long: community is in movement, people are changing (only prisoners are always there, becoming more experts in the project).

In total 900 people in 11 conferences. 50 people in the restorative conference.

- Session 5 (Gian Luigi and Marieke)

Time is important in RJ: 1. waiting time, too early, etc. 2. Different times for society, individuals.

Introduction of the social discipline window and connecting it to emotions: what happens if we do things in a certain way and what sort of emotions/ attitudes we have? Anger: high responsibility, low social support. Sympathy: low responsibility, high social support. Fear: both low. Respect: both high.

Case study from Marieke (May 2016 in Antwerp): building of new place in campus of high school, where Muslim students asked for a room to pray and other students supported it to have a place to rest. Demand came on media, with petition to sign. Equality body was contacted to solve this issue and a RJ journey was taken to give support and responsibility. Also, change of topic (e.g. in the beginning the question was focusing on 5 praying moments a day): what it means to be a school where everyone has a place and how to welcome diversity? Away from identity politics. Finally, a silent place was built.

- Session 6 (Gian Luigi)

Introduction and reflection on the values of restorative justice, based on EFRJ working group paper: the manual (distributed in hard copy) is a work in progress.

Respect: Polarisation is not an issue, and all human beings have the capability to deal with things that concern them (see positive psychology).

Solidarity. Linking to the Sassari model the focus is on wellbeing, not on inclusion.

Justice as value: not related to criminal justice, but what is just and fair to people for addressing the harm and the people affected by the harm. Doing injustice by engaging people in just relations. Creation of safe environment good to them.

Truth: see Chimamanda TED talk on the danger of a single story, which is true but incomplete. RJ enables each person to say one's truth. The perception of each person is different as our focus is different.

The balanced model: pay attention not to labelling people (offender/ victim). Words are important in RJ.

Social discipline window: back to the original model by Wachtel and McCold.

Co.Re model (Sassari team) with aim to promote cultural change. Well-being for everybody. Through connection (e.g. people, institutions) participation, contamination, generativity (every action is new and makes a change). How the process implemented at the community level may improve wellbeing and social cohesion: the model is now tried in Tempio Pausania.

Philosopher Esposito: inside communities we have "immunity", contamination is needed.

Psychologist De Leo: on psychology of responsibility. Responsibility is changing, not inside minds, linked to institutions and society, organizing relationships among people.

Individual and group level (positive psychology): Bandura, Amartya Sen… Improve wellbeing and social cohesion through resilience, hope, courage, optimism, capability.

More information on the project in Tempio Pausania was presented with explanation of the project steps, activities and restorative elements. Q&A.

- Session 7 (Gian Luigi)

What do we take home?

Inputs from participants:

- Implementation to follow
- Focus on the Harm
- Prevention, schools, community, … to prevent
- Open minded to different methodology
- Hope, to challenge how to implement practices and RJ values
- How to be able to keep together stakeholders
- How to work together
- A lot of work to be done
- Time, right time to develop practices
- Sharing practices and views
- A lot to learn and take back home
- The spirit
- Issues about labelling, the use of language, respect
- Risk of stigmatization
- Polarization seems to be new to us, with have to pay attention to polarization

4. Key Learning Points
- awareness on identity formation, group identities and in and out-group mechanisms
- restorative justice values and methods may be a way to address polarization
- how restorative justice approaches were used to address conflict and tension in larger communities

5. Key Practice Issues for the Future

- RJ is not a one size fit all approach – important to adapt practice to needs while keeping the basic values
- RJ practices need time both to be implemented and delivered
- RJ practices can be used for prevention, not only after a conflict

6. Annex

References – provided by the workshop leaders – for additional reading:

www.otheringandbelonging.org

insidepolarisation.nl

www.alternativeproject.eu

http://www.euforumrj.org/wp-content/uploads/2018/11/EFRJ-Values-and-Standards-manual-to-print-24pp.pdf

https://www.ted.com/talks/chimamanda_adichie_the_danger_of_a_single_story?language=en

Gian Luigi Lepri, Ernesto Lodi and Patrizia Patrizi: Tempio Pausania: social conflict resolution in a community setting (forthcoming paper provided to participants)

EUROPOL: Threat assessment – Italian organized crime (sent to participants)

Howard Zehr: Doing Justice, Healing Trauma: The Role of Restorative Justice in Peacebuilding (sent to participants)