

PSYC 546 Intervention & Assessment: Restorative Justice

University of Illinois Conflict Clinic

<http://www.psc.illinois.edu/conflict/>

Spring, 2018: Tuesdays 2-4pm

Room 708, Psychology Bldg.

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Office hours: By appointment

Phone: 333-7740 (no answering machine)

Readings and films:

Assigned articles will be available on either Compass or email. Films will be used to support learning, as needed. When possible, these will be made available to students.

“Conflict is not a problem that needs solving but a phenomenon that needs understanding.” ~ **Dominic Barter**

“Restorative Justice is respect. Respect for all, even those who are different from us; even those who seem to be our enemies. Respect reminds us of our interconnectedness, but also of our differences. Respect insists we balance concerns for all parties. If we pursue justice as respect, we will do justice restoratively.”

~ **Howard Zehr, *The Little Book of Restorative Justice***

“Forgiving is not forgetting; it’s actually remembering -- remembering and not using your right to hit back. It’s a second chance for a new beginning. And the remembering part is particularly important. Especially if you don’t want to repeat what happened.”

~ **Desmond Tutu**

“For the white person who wants to know how to be my friend...the first thing you do is to forget that I’m Black. Second, you must never forget that I’m Black.”

~ **Pat Parker, 1990**

“You never really understand a person until you consider things from his point of view, until you climb inside of his skin and walk around in it.”

“ ‘I don’t see color, I only see children.’ What message does this statement send? That there is something wrong with black or brown, that it should not be noticed? I would like to suggest that if one does not see color, then one does not really see children. Children made ‘invisible’ in this manner become hard-pressed to see themselves worthy of notice.”

~ **Lisa Delpit, *Other People’s Children, 1996***

“I think we all have empathy. We may not have the courage to display it.”

~ **Maya Angelou**

“It is a peculiar sensation, this double consciousness, this sense of always looking at one’s self through the eyes of others, of measuring one’s soul by the tape of the world that looks on in amused contempt and pity. One ever feels his twoness, -- an American, a Negro; two souls, two thoughts two unreconciled strivings; two warring ideals in one dark body, whose dogged strength alone keeps it from being torn asunder”

~ **W.E.B. Du Bois, *The Souls of Black Folk, 1903***

“Justice is truth in action.”

~ **Benjamin Disraeli**

“This work is too urgent to rush”

~ **Dominic Barter**

Place in the Curriculum:

This is a graduate-level practicum offered as part of the Clinical/Community program in the Department of Psychology. Though space is limited and clinical/community students are given priority to enroll, the course is open to any graduate student on campus interested in restorative practices.

Course Description:

This practicum course is designed to support students in learning how to work with conflict restoratively and facilitate conflicts in their own lives and communities. Although the focus will be on exploring theoretical, empirical, and experiential writings concerning restorative approaches to conflict, the course is designed to provide students with developing applied skills and the opportunity to practice those skills in the community. Because part of the course will focus on restorative responses to criminal acts, we will also explore issues of race and ethnicity as they relate to criminality and individual and group conflict.

Geared towards trainees who are:

- ✓ beginner
- ✓ beginner/intermediate
- ✓ intermediate/advanced
- ✓ advanced

This practicum or clinic requires trainees to:

- have evening or weekend availability
- ✓ be available on specific days of the week
- be available during academic breaks (when there are no University classes)
- travel off campus by car
- participate in summer preparation or training (before mid-August)
- ✓ participate in training days during the clin-comm training week in August

Course overview:

Students in the Conflict Clinic Restorative Justice practicum will:

1. Learn theoretical and empirical foundations of restorative approaches to conflict
2. Practice conflict facilitation skills based on Dominic Barter's Restorative Circles model developed in Brazil (primary) and several U.S. approaches (secondary).
3. Provide conflict facilitation and/or restorative programming to local schools, campus units, community organizations and/or families

In addition, there may be opportunities for selected students to:

4. Support schools, campus units, and/or community organizations in implementing restorative systems/structures that will create conditions for working through conflict restoratively.

5. Participate in the evaluation of restorative approaches to conflict on campus and/or in the community.

Competencies:

Over the course of the practicum, students will work on developing skills and competencies relevant to addressing conflict in communities, groups, schools, organizations, families and couples. Though our focus will be on conflict, these skills are also relevant to facilitation and therapeutic interventions with families, organizations, and groups. Competencies will include:

- deep ("needs-based") listening
- empathic connection and presence with people in crisis
- tracking of meaning among multiple participants
- translation of difficult to hear messages into their underlying meaning
- the creation of a "safe-enough container" for participants
- differentiation between needs, emotions, strategies and evaluations in participant messages
- the ability to shift to different "forms" of facilitation or employ different types of containers depending on intensity of conflict

Opportunities will also be available for students to conduct ethical outreach and research in local community and campus settings, including but not limited to:

- understanding the needs of the setting
- building relationships with stakeholders (and negotiating different levels of power & hierarchy)
- navigating the research process (including IRB, privacy, confidentiality, ethics)
- creating materials appropriate to community members
- collecting evaluation data in community settings

Training and Supervision:

Initially, training and supervision will focus on allowing students to:

- Learn and participate in role plays of conflict-based situations using the RC approach
- Learn and practice deep listening skills, including empathic reflection, tracking, needs-based conceptualization, and "translation" of hard to hear material
- Learn to understand causes of conflict and practice conflict-related skills, including de-escalation and win-win approaches
- Learn the difference between an individual-level and system-level approach to conflict
- Understand the unique ethical considerations involved in the RC approach to conflict

As competency develops, students will have the opportunity to:

- Co-facilitate (with supervisor or advanced trainee) and facilitate (depending on competency level) live Circles with youth at local schools, with individuals on campus and with community organizations wanting to engage conflict restoratively.
- Share the RC process with others and provide community and university organizations with support to help them establish their own restorative systems and facilitate their own Circles

Opportunities may also exist for interested students to contribute to the research examining the effectiveness and impact of the RC process in various contexts, including elementary and middle schools, university campuses, and community organizations.

More about the Restorative Circles model

Restorative Circles (RC) is a restorative practice originally developed in Brazil that is part of the recent international Restorative Justice movement. Unlike punitive/retributive approaches to justice which seek to punish the person(s) identified as having done something wrong, restorative practices seek to determine what harm was done (to relationships as well as to objects) and to repair the harm (including to relationships) and respond to unmet community needs. As such, restorative approaches to justice and conflict can both take the place of punitive approaches and function alongside them. Moreover, a review of research on restorative justice across multiple continents showed that Restorative Justice systems reduce recidivism in both violent and property crime in comparison to traditional justice systems and provide a variety of benefits to the “victims”, including improved mental health and greater satisfaction with the justice process (Sherman & Strang, 2007). Similar outcomes are also found in schools and other settings.

Restorative Circles provide a way for individuals and communities to handle conflicts compassionately, heal from these conflicts, and learn what conflicts have to teach us.

Learn more at www.restorativecircles.org

For additional information about the practicum or to request permission to enroll (enrollment is by permission only), email lyubanskym@gmail.com

Semester Schedule (Spring, 2018)

Unit 1. Definitions and History

Week 1: The Start of a Movement

Christie, N. (1977). Conflicts as property. *British journal of Criminology*, 17(1), 1-15.

Week 2: Defining Restorative Justice

Braithwaite, J. (2003). Principles of restorative justice. *Restorative justice and criminal justice: competing or reconcilable paradigms*, 1-20.

Von Hirsch, A., Ashworth, A., & Shearing, C. (2003). Specifying aims and limits for restorative justice. *von Hirsch et al (eds) Restorative Justice and Criminal Justice: Competing or Reconcilable Paradigms*. Hart Publishing, Oxford/Portland, 21-42.

Zehr, Howard (2002). *The Little Book of Restorative Justice*. Intercourse, PA: Good Books. (recommended)

Week 3: History of Justice Systems: Retributive and Restorative Justice

Zehr, Howard (2005). *Changing Lenses*. Scottsdale, Pa: Herald Press. (Chapter 10)

Van Ness, D., & Heetderks Strong, K. (2010). *Restoring Justice: An Introduction to Restorative Justice* (4th ed.). New Providence, NJ: Mathew Bender & Co. (recommended)

Wenzel, M., Okimoto, T., Feather, N., & Platow, M. (2008). Retributive and restorative justice. *Law and Human Behavior* 32(5), 375-389. (recommended)

Week 4: Restorative Justice Critiques

Allison Morris (2002). Critiquing the Critics: A brief response to the critics of restorative justice. *British Journal of Criminology* 42(3), 596-615.

Takagi, P., Shank, G. (2004). Critique of restorative justice. *Social Justice* 3(3), 147-163.

Levrant, S., Cullen, F., Fulton, B., & Wozniak, J. (1999). Reconsidering restorative justice: The corruption of benevolence revisited. *Crime and Delinquency* 45(1), 3-27.

Braithwaite, J. (1999). Restorative justice: Assessing optimistic and pessimistic accounts. *Crime and Justice* 25, 1-27.

Unit 2. Restorative Justice Models

Week 5: Victim Offender Mediation and Family Group Conferencing

Umbreit, M., & Stacey, S. (1996). Family group conferencing comes to the U.S.: A comparison with victim-offender mediation. *Juvenile and Family Court Journal*, 47(2), 29-38.

Burning Bridges ([film](#))

Week 6: **Restorative Circles**

Coates, R., Umbreit, M., & Vos, B. (2003). Restorative justice circles: An exploratory study. *Contemporary Justice Review*, 6(3), 265-278.

Lyubansky, M., & Barter, D. (2011). A restorative approach to interpersonal racial conflict. *Peace Review: A Journal of Social Justice*, 23(1), 37-44.

Lyubansky, M. (2017). Peace Profile: Dominic Barter. *Peace Review*, 29(4), 513-520.

Pranis, K. (2005). *The Little Book of Circle Processes*. Intercourse, PA: Good Books.

Unit 3. Restorative Justice in Education and the Workplace

Week 7: **RJ in Schools**

Vareham, S. (2005). Seeing things differently: Restorative justice and school discipline. *Education and the Law* 17(3), 87-104

Karp, D., & Breslin, B., (2001). Restorative justice in school communities. *Youth Society*, 33I(2), 249-272

Morrison, B. (2006). School bullying and restorative justice: Toward a theoretical understanding of the role of respect, pride, and shame. *Journal of social issues*, 62(2), 371-392

Illinois Criminal Justice Information Authority. Implementing Restorative Justice: A guide for Schools

<http://www.icjia.state.il.us/public/pdf/BARJ/SCHOOL%20BARJ%20GUIDEBOOK.pdf>

Costello, B., Wachtel, J., & Wachtel, T. (2010). *Restorative Circles in Schools: Building Community and Enhancing Learning*. Bethlehem, PA: IIRP

Evans, K., & Lester, J. (2013). Restorative justice in education: What we know so far. *Middle School Journal*, 44(5), 59-

Week 8: **Restorative Justice in Higher Education**

Karp, D., & Conrad, S. (2005). Restorative justice and college student misconduct. *Public Organization Review*, 5(4), 315-333.

Karp, D. (2015). *Little Book of Restorative Justice for Colleges & Universities: Revised & Updated*. Skyhorse Publishing, Inc.

Week 9: **Restorative Justice in Organizations and Workplaces**

Fehr, R., & Gelfand, M. J. (2012). The forgiving organization: A multilevel model of forgiveness at work. *Academy of Management Review*, 37(4), 664-688.

Goodstein, J., & Aquino, K. (2010). And restorative justice for all: Redemption, forgiveness, and reintegration in organizations. *Journal of Organizational Behavior*, 31(4), 624-628.

Week 10 **Spring Break**

Unit 4. Restorative Responses to Crime

Week 11: **Overview**

Pali, B., & Pelikan, C. (2014). Con-texting restorative justice and abolitionism: exploring the potential and limits of restorative justice as an alternative discourse to criminal justice. *Restorative Justice*, 2(2), 142-164.

Shpungin, E. (2014). The Fluidity of Victimhood. In T. Gavrielides (Ed.). *A victim-led criminal justice system: Addressing the paradox*. London: IARS Pub.

Fehr, R., Gelfand, M. J., & Nag, M. (2010). The road to forgiveness: a meta-analytic synthesis of its situational and dispositional correlates. *Psychological bulletin*, 136(5), 894.

Week 12 **Homicide**

Tullis, P. (2013). Can forgiveness play a role in criminal justice. *New York Times*. Retrieved from <http://www.nytimes.com/2013/01/06/magazine/can-forgiveness-play-a-role-in-criminal-justice.html>

Lyubansky, M. (2013). Restorative Justice for Trayvon Martin. *Journal for Social Action in Counseling and Psychology*, 5(1), 59.

Week 13 **Sexual Violence**

Brenner, A. (2013). Transforming campus culture to prevent rape: the possibility and promise of restorative justice as a response to campus sexual violence. *Harvard Journal of Law & Gender*, 10.

Koss, M., & Achilles, M. (2008). Restorative justice responses to sexual assault. *National online resource center on violence against women*.

Koss, M. P., Wilgus, J. K., & Williamsen, K. M. (2014). Campus sexual misconduct restorative justice approaches to enhance compliance with Title IX guidance. *Trauma, Violence, & Abuse*, 15(3), 242-257.

Week 14 **Evaluating the Evidence**

Latimer, J., Dowden, C., Muise, D. (2005). The effectiveness of restorative justice practices: A meta-analysis. *The Prison Journal*, 85(2), 127-144.

Bergseth, Kathleen J., and Jeffrey A. Bouffard. 2007. The Long-Term Impact of Restorative Justice Programming for Juvenile Offenders. *Journal of Criminal Justice* 35 (4), 433–451.

Rodriguez, N. (2013). Examining the effectiveness of a restorative justice program for various types of juvenile offenders. *Crime and Delinquency*, 53(3), 355-379.

Sherman, L., & Strang, H. (2007). *Restorative justice: The evidence*. The Smith Institute

Week 15:

Toward Social Justice and Peacebuilding

Zehr, H. (2008). Doing justice, healing trauma: The role of restorative justice in peacebuilding. *South Asian Journal of Peacebuilding*, 1(1), 2-16.

Davis, F. E., Lyubansky, M., & Schiff, M. (2015). Restoring Racial Justice. *Emerging Trends in the Social and Behavioral Sciences: An Interdisciplinary, Searchable, Linkable Resource*.

Lyubansky, M. & Shpungin, E. (2015). Challenging Power Dynamics in Restorative Justice. In T. Gavrielides (Ed.). *The Psychology of Restorative Justice*. TBC Publications.