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What is Restorative Justice?

“Restorative justice is a victim-centered response to crime that provides opportunities for those most directly affected by crime - the victim, the offender, their families, and representatives of the community - to be directly involved in responding to the harm caused by the crime. Restorative justice is based upon values which emphasize the importance of providing opportunities for more active involvement in the process of: offering support and assistance to crime victims; holding offenders directly accountable to the people and communities they have violated; restoring the emotional and material losses of victims (to the degree possible); providing a range of opportunities for dialogue and problem-solving among interested crime victims, offenders, families, and other support persons; offering offenders opportunities for competency development and reintegration into productive community life; and strengthening public safety through community building.” by Mark Umbreit

TWO KEY PRINCIPLES ABOUT RESTORATIVE JUSTICE:
• Focus is on the HARM done more than the LAW broken
• Process ENGAGES and EMPOWERS main players involved:

COMMON MODELS FOR RESTORATIVE JUSTIC DIALOGUE:

MEDIATIONS  |  PANELS
CONFERENCES  |  CIRCLES
The Wisdom of Indigenous Community Traditions for Resolving Conflicts and Crimes

While restorative justice as a modern movement started in 1974 in Ontario, Canada, with Mennonite support, its growth soon showed how its principles were rooted in centuries-old indigenous traditions around the world. In a symbiotic way, the rise of restorative justice revitalized many of these older community-based models of justice, starting with Native Canadian Sentencing Circles in the Yukon and Maori Family Group Conferencing in New Zealand. In return, these tribal practices have fed back to enrich the ever-strengthening models of today’s restorative justice where healing and accountability are inseparable activities.

“"The problem with justice models that are merely punitive is that they neither make the offender nor the victim whole again, and thus they fail to make communities whole again.” -- Ted Lewis
On Empathy and Carl Rogers

“When I have been listened to and when I have been heard, I am able to re-perceive my world in a new way and to go on. It is astonishing how elements that seem insoluble become soluble when someone listens, how confusions that seem irremediable turn into relatively clear flowing streams when one is heard. I have deeply appreciated the times that I have experienced this sensitive, empathic, concentrated listening.”

— Carl R. Rogers

“Being empathic means: "To be with another in this way means that for the time being you lay aside the views and values you hold for yourself in order to enter another’s world without prejudice. In some sense it means that you lay aside your self and this can only be done by a person who is secure enough in himself that he knows he will not get lost in what may turn out to be the strange or bizarre world of the other, and can comfortably return to his own world when he wishes. Perhaps this description makes clear that being empathic is a complex, demanding, strong yet subtle and gentle way of being.”

— Carl R. Rogers

Defining Empathy Skills in Practice - Carl Rogers and Unconditional Regard

by Tony McGregor 2012 (excerpts from his article)

“...deep understanding is, I believe, the most precious gift one can give to another.” - Carl Rogers

The Social and Psychological Contexts

It seems the importance of empathy in our lives is understood by some, but perhaps practised by rather fewer people. The purpose of this article is not to examine why that might be. The purpose of this article is rather to define empathy by examining something of the practical application of empathy, to see how we can use the skill, because it is a learnable skill, in daily life, as we go about our everyday business.
Psychologist Carl Rogers, in his various writings, points out that the value of empathy in relationships works in the context of two other factors, and should be understood in the context of the three factors together. The factors, which Rogers calls the “attitudinal elements making for growth”, are empathy, congruence (also called realness) and caring (also called unconditional positive regard). These three “attitudinal elements” fit together and in fact overlap to form what could be called a “person-centered philosophical approach.” The figure above illustrates this.

**Empathy.** Empathy, in the context in which this article is considering it, is the ability to enter, by a willed use of the imagination, another person's world without judgment….In this context it is important to realise that empathy does not connote agreement. Empathy means understanding another person's feeling without passing any judgement on the appropriateness or otherwise of the feeling.

**Congruence.** Congruence is, Rogers writes, “the term we have used to indicate an accurate matching of experiencing and awareness.” He continues that it can be extended to cover a “matching of experience, awareness and communication.” At its simplest congruence implies an accurate outward expression of the inner reality. Taking a simple example, a person who shouts while thumping a table, “I'm not angry”, would be experienced as incongruent.

**Unconditional Positive Regard.** The third attitudinal factor is the acceptance of the other person, completely and without judgment. It involves allowing the other person, without reserve or conditions, in Rogers's words: “...to have his own feelings and experiences, and to find his own meanings in them.” This full caring and acceptance is a pre-condition for openness between people, for complete honesty. When it is lacking the response is likely to be a closing off, the erection of barriers between people, and a consequent lack of honesty, or at least total honesty, between people. People will only communicate that which they feel safe to communicate, which might mean the self-censorship of their feelings and other responses.
What is a Humanistic Approach to Mediation and Dialogue?

by Mark Umbreit

A HUMANISTIC APPROACH TO MEDIATION HUMANIZES THE PROCESS AND HUMANIZES THE PARTICIPANTS. IT STARTS WITH MEDIATORS / FACILITATORS GETTING IN TOUCH WITH THEIR OWN CONNECTION TO THE HUMAN ELEMENT, FIRST IN THEMSELVES, THEN IN THE PARTICIPANTS AND IN THE PROCESS.

A humanistic approach to mediation represents a “dialogue driven” rather than “settlement driven” form of conflict resolution. It emphasizes the importance of good preparation of parties prior to joint dialogue, building rapport with them, listening to their stories, and explaining well how they can engage in dialogue with the other party. Rather than relying on communication skills and techniques, a humanistic approach prefers a non-directive style of mediation, prizing an attitude of unconditional positive regard and connectedness with all parties while remaining impartial.

While the focus of the mediator’s work is upon the creation of a safe, if not sacred, place to foster direct dialogue among the parties about the emotional and material impact of the conflict, written settlement agreements often occur but are not central to the process. Rooted in the broader theory of transformative mediation, a humanistic approach is grounded more in a paradigm of healing and peacemaking than problem-solving and resolution. Central to humanistic mediation practice are the telling and hearing of each other’s stories about the conflict, the opportunity for direct, uninterrupted conversation between parties, the importance of honoring moments of silence, and the innate wisdom and strength within the participants.

Key Elements of Humanistic Mediation:

1. Continual centering of the mediator
2. Mediator ‘presence’ is more important than ‘intervention’
3. Non-judgmental attitude, holding parties in positive regard
4. Being fully present while separating “our stuff” from “their stuff”
5. Connecting with parties, but remaining impartial
6. Recognizing the importance of good preparation
7. Creation of a safe, if not sacred, space
8. Dialogue-driven process between parties
9. Honoring the importance of storytelling
10. Non-directive and non-interruptive style of mediation
11. Mediator “gets out of the way” of deeper conversation
12. Deep compassionate listening
13. Tuning into the ‘language of the heart’
14. Sensitivity to remove distractions from environment
15. Caring deeply for the wellbeing of both parties
“In Western culture our typical approach to conflict is to move straight into problem solving. We ask: How do we fix this? This approach can often miss the importance of people telling their larger stories behind the language of the presenting issues of a conflict. Those stories, however, contain the emotional energy that is fueling the conflict. Without a healthy outlet for the release of toxic energy that has been stored up, those stories will continue to provide power to the conflict, even where there may be written agreements.

Creating a safe place for people experiencing intense conflict to tell their story, without interruptions, has been found throughout the ages to be at the core of healing. The telling of stories touches our hearts. Daniel Taylor in his book *The Healing Power of Stories* (1996) speaks of how stories help us learn to live more responsibly, to understand others in their life context, and to avoid many of the conflicts in life that so quickly hook us.

When people have found the strength within themselves to directly face a severe conflict or traumatic event, often what is needed is for someone to simply share the journey, offer periodic feedback and support, and to avoid quick problem solving or advice giving. Those who facilitate or mediate conflicts need foremost to bear witness rather than get lost in problem solving or advice giving. Bearing witness is about honoring the strength and resilience of people on a healing journey.

Active listening, as a skill or technique for mediators is important, but there is a way of serving others in a deeper way. Deep compassionate listening requires us to listen from the heart, to quiet our mind and ego, to allow the healing energy of story to emerge. It requires a conscious effort to not solely rely on understanding the verbal content being expressed, but to be open to looking for the emotional energy underneath the language, which may be quite inconsistent with the words being expressed. Deep listening has everything to do with the energy of one’s presence, and one’s own groundedness in humility and compassion.”

(excerpted from *The Energy of Forgiveness: Lessons from Those in Restorative Dialogue*, 2014)

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“There is no complete restoration between people separated from each other by harms or conflicts until they have truly heard each other’s stories and come to see the humanity of the other side. In this way, to be restored involves a ‘re-story-ing’ process that requires a safe space for constructive dialogue.”

-- Ted Lewis
The Energy of Conflict and the Energy of Forgiveness

Just as magnets and motors create energy fields around them with attracting and repelling forces, so it is with people in conflict. In recent years, mediators are adopting the language of energy in the area of conflict resolution because it seems to describe the dynamics better than any other metaphor. Furthermore, studies are suggesting that this is more than metaphoric language. Human hearts, brains and bodies absorb and give off energies that truly effect the dynamics between people!

“Highly toxic and hurtful energy had been transformed into authentic communication…. The energy of the entire event had shifted in a very palpable way.”

Mark Umbreit, from Dancing With the Energy of Conflict and Trauma

“Conflict transformation begins with a central goal: to build constructive change out of the energy created by conflict…. The key here is to move conflict away from destructive processes and toward constructive ones.”

John Paul Lederach, from The Little Book of Conflict Transformation

“When we are able to listen to and respond from our heart energy, we can begin to communicate in ways necessary for the transformation of relationships…. There must be a partnership between the heart and the head for harmony to exist. The energy that is being used to hold onto a conflict can now be free to fuel healing.”

- Deborah Isenhour, Marilyn Shannon, from “The Energy of Conflict: An Emerging Paradigm”
Twelve Steps of Personal Peacemaking*

Mark Umbreit
2002

1. Admit that conflict and violence within yourself and among your relationships consumes too much of your energy, creates stress, and leads to unhappiness.

2. Believe that a power greater than yourself can bring you strength and peace.

3. Make a commitment to connect with a higher power, as you understand it, whether this higher power be understood as God, Yahweh, Allah, Buddha, Krishna, Mother Earth-Father Sky, The Divine, or whatever understanding brings you strength and peace.

4. Make an honest moral inventory of how you have contributed to conflict and violence in your personal relationships, your life in community, and as a citizen of your country and the world. Accept the fact that often your best intentions result in unintended negative consequences upon other people.

5. Admit to your higher power, to yourself, and to others the exact nature of your contributions to conflict and to emotional or physical violence.


7. In a spirit of humility and compassion for yourself and all others, seek spiritual guidance in confronting your shortcomings which may contribute to conflict and emotional or physical violence.

8. Make a list of all persons you have harmed and become willing to make direct amends to all such people wherever possible, except when to do so would injure them or others.

9. Continue to be mindful of your actions and their effect on others, and when you have offended another, whether intentionally or not, promptly admit it and apologize.

10. Seek through prayer, meditation, and other self-care techniques, to gain emotional and spiritual strength (in the context of your specific religious or secular tradition).

11. Forgive those who may have offended you. Don't take things too personally. Remember that most people don't mean to offend, but that their actions (and yours) frequently lead to unintended negative consequences.

12. Commit to being an instrument of peace and healing among all those who cross your path in your life's journey. Don't hang onto resentment and anger. Let it go. Remember, the one who benefits the most from forgiveness is the person who gives it. It can bring a renewed sense of freedom and energy to your life.

*Modified version of the internationally embraced Twelve Step Program for recovery.
Understanding Conflict by Ted Lewis

When you hear the word ‘conflict’ what other words come into your mind?

Most conflicts are complex, and that is one reason most people don’t like conflict. If they are complicated in the making, they usually are complicated in the resolving. And so it is easy to fight back or maybe avoid conflict. These basic responses are called:

**FIGHT or FLIGHT**

Conflict is an inevitable feature of human social life, but how we respond can vary. Every person develops a default way of responding to conflict.

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**Figure 1**

Based on Thomas-Kilmann Conflict Mode Instrument

Conflict Management Styles

- Competing
- Collaborating
- Compromising
- Avoiding
- Accommodating

 Assertiveness

On a continuum of FIGHT to FLIGHT where would you place yourself in how you respond to conflict?

Regarding the FIVE response styles in the chart, where would you place your main area? Do you have a second area that you lean into at times?
What are the various types of conflict?

First, VIOLENCE is not the same as a CONFLICT. Violence is a violation or abuse of persons that can traumatize the affected people. It always has a moral dimension of wrong-doing. Conflict in itself does not breach a moral dimension. But violence can happen within a CONFLICT SITUATION. Most wars are set within larger conflict situations, and yet they can also result in great violence against people. The resolving of such complicated matters, therefore, has to address both the underlying (DISPUTABLE) elements of a conflict as well as the consequential (HARMING) elements of a conflict.

**DISPUTE SITUATIONS**
- Disagreements over borders, water, etc.
- Marital divorce
- Workplace conflicts
- Labor vs. company management
- Scarce resources
- Partisan politics
- Sibling rivalries
- ADD…

**HARM SITUATIONS**
- Crimes
- Mass violence
- Bullying
- Domestic violence
- Corporate theft
- Sexual assault
- Forced removal of communities
- Human trafficking
- ADD…

**HYBRIDS**

Can you think of situations that involve the hybriding of disputes and harms?
Mapping Conflict and Conflict Resolution

Most disputes fall into two major categories:

**Substantive Issues:**
Disagreements over…
- Ideas
- Information
- Goals
- Procedures
- Interests
- Group identity
- Resources

**Relational Issues:**
Tensions over…
- Mistrust
- Misunderstanding
- Miscommunication
- Negative emotions
- Personality clash
- Resentments
- Tense history

And yet many disputes involve a combination of these two categories. Think of an example of how a dispute conflict combines both issues.

Next, it helps to map out…

...of EMOTIONS

List all the things you can think of that help to DE-ESCALATED heated emotions. Notice how most of them have to do with good communication.

This is where… **THIRD-PARTY HELPERS** and **THIRD-WAY PREFERENCES** make a difference!
THIRD WAY can be understood as the third alternative to FIGHT or FLIGHT. These preferences all amount to the heightening of a COOPERATIVE process between people and therefore they guard against a win-lose outcome.

THIRD-PARTY HELPERS are never completely neutral as they bring their human strengths and their hopes for resolution into a process. But they do aim to be IMPARTIAL toward all participants and refrain from judgments, favoritism, and advocating for specific outcomes. Third party helpers empower the parties in conflict to have their own conversation and to determine their own outcomes.

THIRD PARTY HELPERS distinguish…

1. **Positions from Interests.** Positions are what people demand and thus they clash with other positions. “The well is mine!”…“No it isn’t. The well is mine!” But interests are the bedrock needs and values that cannot be argued. “My ancestors used this well, and that is important to me.” … “My sheep are my only source of income and this is the best source of water for them.”

2. **Problems from People.** Either People are viewed as “the problem” and solutions merely aim at getting people ‘out of the way’, or Problems are viewed as something both sides work on together. In this way, dialogue can move beyond blaming and attacking the other party, and get on with naming interests and finding solutions.

3. **Episodes from Epicenters.** Episodes are visible expressions or symptoms of a conflict that have deeper roots. There might be multiple episodes or crises that surface and this draw attention to the conflict. Epi-centers are underlying patterns of conflict in the way people relate to each other over longer stretches of time.
Good Conflict Resolution is Good Communication

“How DO YOU HELP PEOPLE SHIFT FROM…”

The goal is to create a safe **LISTENING** space. Without good listening, people do not feel heard. When people do not feel heard, they don’t feel understood. When they don’t feel understood, it is hard for them to enter into a discussion about future solutions. And so, before a process can move forward toward a solution stage it has to go through a deepening conversation during a storytelling stage.

When conflicts are strong, you can’t move from the PRESENT to the FUTURE without putting the PAST to rest. And the only way to put the PAST to rest is by inviting all participants to share their stories so that they each can be fully understood and thereby allowing them connect with the humanity of the other participants. This experience of sharing, listening, understanding and connecting, on a deep, heart-to-heart level, is what allows parties to move forward toward more practical discussions about the future.

**SHARING > LISTENING > UNDERSTANDING > CONNECTING**

Communication skills that help to deepen a conversation:

- **The Acknowledgement**: “That must have been really hard for you.”
- **The Open Question**: “Can you tell me why that is important to you?”
- **The Restraint**: honoring silence and pauses to let others think more deeply and let others be the next to respond

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Understanding Victim and Offender Experiences

Before facilitators and mediators can assist with resolution processes for offending and victimized parties, it is essential to understand what these parties typically experience after the crime or episode of trauma. Without this understanding, a helper might unintentionally promote processes that can have either limiting or re-victimizing elements.

The Victim Experience of Crime and Trauma

All victims have NEEDS that vary at different stages in their journey.

- Safety
- Sense-making
- Support
- ADD...

The main issue at stake is do they have the INTERNAL or RELATIONAL RESOURCES in their lives to help them meet those needs. If not, what can happen to a victim over time?

The Offender Experience of Crime and Harming

Overall, offenders of crime and harm, when caught for their actions, can go into:

ATTACK MODE  or  WITHDRAW MODE

(blaming others or inner self)  (avoiding others or inner self)

In responding to offenders, it helps to separate the ACT from PERSONHOOD.

Question for consideration: Do offenders also have needs to be met?
Guiding Victims and Offenders Through a Dialogue Process

PREPARATION STAGE:
It is essential to meet with victimized and offending parties separately before bringing them together for joint dialogue. There are several reasons for this:

- To build rapport and trust with them as a facilitator
- To let them tell their story and safely vent their feelings
- To assure them that the process is constructive and safe
- To prepare them on what to say and how to listen
- To determine if other support people should be included

How do you know if parties are ready to meet for face-to-face dialogue?
The main key is if they both express voluntary openness and desire to do so. Offenders have to demonstrate their ownership and some remorse for what they did; victims have to demonstrate enough trust in the process to be open and ready to share. Facilitators need to know that the parties are ready to talk with each other without having great reliance on the facilitator.

DIALOGUE STAGE:
Whether using a mediation, conference, or circle process, third-party helpers (mediators, facilitators and keepers) will usually guide participants through the following outline, recognizing that there is always room for flexibility.

1. Opening time
2. Storytelling time
3. Identifying all impacts
4. Discussing all reparations
5. Closing time

For cases of severe violent crime, the parties are in more control over what they choose to talk about, and this usually is an uninterrupted flow of conversation.

FOLLOW-UP STAGE:
After joint dialogue, facilitators support follow-up communications with both parties to 1) ensure follow-through on agreements, 2) check on ongoing healing, and 3) facilitate additional scheduled meetings when parties want to reconvene.
The Heart of the Matter

**Structure** is important – just like notes on staff lines are a key part of music

**Skills** are important – just like hand coordination is part of playing instruments

**Standards** are important – just like rules are necessary in sports games

But the most important part of a conflict resolution process is tuning into “The Heart of the Matter.” Literally, that is, tuning into the real **human heart**. Resolution dialogue is primarily about people connecting deeply with each other at a ‘heart’ level in order to reach a place of peace and relational restoration. This is why we use phrases like “a heart-to-heart talk” because it conveys a personal and deep quality to the conversation. We also speak of people who are open-hearted or warm-hearted as a way to connect the human heart with positive forms of communication.

So while Structure and Skills and Standards are all important in the fields of conflict resolution and restorative justice, and while they are helpful to learn when guiding other people through resolution processes, the foundation of all resolution work is creating safe spaces where people can meet in order to speak from their hearts, listen deeply with their hearts, and connect with each other at a heart-level. Third-party helpers who are tuned into these heart-matters, this language of the heart, will grow with any process and learn to be a calm, centered presence for others.

Though the Language of the Heart is invisible, it is what matters most.

> “And now here is my secret, a very simple secret: It is only with the heart that one can see rightly; what is essential is invisible to the eye.”
>
> — Antoine de Saint-Exupéry, *The Little Prince*
Commonly Used Terms in Conflict Resolution Work

Source: Search for Common Ground, Wash. DC (202) 265-4300 e-mail: search@sfcg.org

Common ground approach is the method we use to resolve disputes, whereby the parties involved understand and honor their differences and find a mutually beneficial agreement based on their shared interests -- their common ground. It is sometimes called the cooperative, collaborative or win-win approach and it can be applied to all kinds of conflict, from small everyday ones between individuals to the larger ones that divide communities.

Conflict management involves taking action to keep a conflict from escalating further. It implies the ability to control the intensity of a conflict and its effects through negotiation, intervention, institutional mechanisms and other traditional diplomatic methods. It usually does not usually address deep-rooted issues that may be at the cause of the conflict originally or attempt bring about a solution.

Conflict resolution seeks to resolve the incompatibilities of interests and behaviours that constitute the conflict by recognizing and addressing the underlying issues, finding a mutually acceptable process and establishing relatively harmonious relationships and outcomes.

Conflict transformation aims at shifting how individuals and communities perceive and accommodate their differences, away from adversarial (win-lose) approaches toward collaborative (win-win) problem-solving. Transforming a conflict is a longer-term process that engages a society on multiple levels to develop the knowledge, understanding and skills that empower people to coexist peacefully. Overcoming fear and distrust, dealing with stereotypes and perceptions, and learning how to communicate effectively are important steps in redefining relationships to bring forth social justice.

Peacebuilding refers to activities beyond crisis intervention or conflict management, such as long-term development that focuses on developing social, governmental and non-governmental (including religious) mechanisms that favor nonviolent, constructive means of resolving differences. Peacebuilding recognizes the need for reconciliation, developing a capacity for conflict resolution, and working towards a sustainable peace. It involves a full range of processes needed for transformation toward more manageable, peaceful relationships and governance structures. Peacebuilding is distinct from both peacemaking and peacekeeping as it is proactive with conflict, rather than reactive.

Peacemaking is the official or unofficial diplomatic effort intended to end the bloodshed between contending parties embroiled in conflict. The objective is to move a violent conflict into a nonviolent stage, where differences are normally then settled through negotiation, mediation, conciliation, and arbitration. International organizations serve as peacemakers and act as neutral third parties or provide other non-violent channels of dispute resolution, such as international courts.
Peacekeeping refers to a military operation undertaken with the consent of all major parties to a dispute. Its purpose is to monitor and facilitate implementing an agreement and supporting diplomatic efforts to reach a long-term political settlement. It often involves ambiguous situations requiring peacekeepers to enforce cease-fire agreements and protect non-combatants while maintaining neutrality. The U.N. divides peacekeeping into three broad categories: 1) helping maintain cease-fires, 2) implementing comprehensive settlements, and 3) protecting humanitarian operations.

Structural violence is human suffering that is caused by the exploitive or unjust nature in which social, political, legal, cultural and economic institutions are constructed. Structural violence is difficult to see with the naked eye because it has become embedded in ever-present human civil structures and normalized by stable institutions and regular experience. Examples include poverty, hunger, homelessness, discrimination due to race, gender, sexual orientation.

Track I diplomacy involves direct government-to-government interaction on the official level. Typical Track I activities include traditional diplomacy, official negotiations, and the use of international organizations. The participants stand as representatives of their respective states and reflect the official positions of their governments during discussions.

Track "One and a Half" diplomacy refers to situations when official representatives give authority to non-state actors to participate, negotiate or facilitate on behalf of the official state actors. It also refers to non-state individuals who serve as intermediaries between official and non-official actors in difficult conflict situations. It is generally used to prepare key stakeholders before and during the official negotiation process by building consensus and support for agreements.

Track II diplomacy involves informal interaction with influential unofficial actors from civil society, business or religious communities, and local leaders/politicians who are considered to be experts in the issue being discussed. It seeks to supplement Track I diplomacy by working with middle and lower levels of society and often involves non-traditional methods, such as facilitating dialogue mechanisms and meetings that include participants from both government and non-government institutions.

Track III diplomacy is essentially "people to people" diplomacy undertaken by both individuals and private groups from non-government international organizations that are dedicated to promoting specific causes, universal ideals and norms, and enacting systematic social change. This type of diplomacy often involves organizing meetings and conferences, generating media exposure, and political and legal advocacy for people and communities who are largely marginalized from political power centers and are unable to achieve positive change without outside assistance.
Commonly Used Distinctions in Conflict Work

Conflict and violence are not the same thing. Conflict is a state of disharmony between persons, ideas, or interests, and is used to denote both a process and a state of being. Violence is commonly defined as the aggressive use of force exerted for the purpose of violating, damaging, or coercing, as well as an abusive or unjust exercise of power. Whereas conflict is not inherently negative or damaging, and can in fact produce positive outcomes, violence always results in injury and destruction.

Adversarial versus cooperative approaches to conflict. Adversarial approaches to dispute settlement occur when parties in conflict perceive themselves as opponents competing for mutually incompatible outcomes in which one side wins and the other loses. Typically, issues in dispute become polarized, feelings and perceptions become hostile, options are narrowed, communication between parties is restricted or non-existent, and disputants strive for all-or-nothing solutions. By contrast, the cooperative or problem-solving approach involves both sides collaborating, merging resources to seek solutions that address everyone's interests and are mutually beneficial.

Advocating for common ground. "Understand the differences, act on the commonalities." Today’s problems - whether ethnic, environmental, or economic - are too complex and interconnected to be resolved on an adversarial basis. It is our assumption that everyone’s interests are best served by reframing the issues in a non-adversarial way, and advocating for a process that can maximize the gain of all those with a stake in the outcome. While ethnic, cultural and religious disparities may seem insurmountable in difficult conflict situations, common ground between parties can be found where interests overlap, and mutually beneficial solutions can come to the fore.

Impartiality versus neutrality. You can be impartial even though you are not completely neutral. Being partial means defending one side or the other. Being impartial is working with people on both sides. Our hearts might go out to those we feel have been wronged; however, our work is to bring people to the table to talk, to get them into dialogue about what they can do to improve the situation. We are not advocates for either side, but we do advocate for finding common ground; it is not about justice for one but justice for all.

Conflict management versus conflict resolution. Conflict management generally involves taking action to keep a conflict from escalating further - it implies the ability to control the intensity of a conflict and its effects through negotiation, intervention, institutional mechanisms and other traditional diplomatic methods. It usually does not address the deep-rooted issues that may cause the conflict or attempt to bring about a solution. Conflict resolution, by contrast, seeks to resolve the incompatibilities of interests and behaviours that constitute the conflict by recognizing and addressing the underlying issues, finding a mutually acceptable process and establishing relatively harmonious relationships and outcomes.
Choosing between hope and despair. It is human nature to experience feelings of despair, hopelessness and depression in destructive or intractable situations. We make the assertion that despair is a choice that hinders action. The people we work with on a daily basis are courageously choosing the alternative - hope - and are working through the personal anguish that arises in conflict situations to accomplish something constructive. The world is becoming more diverse, and its potential - both negative and positive - has never been greater. We believe it is critical to choose to work together creatively to turn that diversity into progress.

Breakdowns to breakthroughs. Often a breakdown in the functioning of a community, organization or government is considered a disastrous event with dire consequences. By shifting our perception, such occurrences can also be viewed as opportunities to step back and analyze problems, relationships and miscommunications. When the underlying causes of breakdowns are illuminated and addressed in this way it can lead to a breakthrough in cooperation and productivity. Learning from past difficulties is the surest way to avoid future mistakes and prevent conflicts from reoccurring.

Positions versus interests. Positions are points of view that are more specific and narrower than interests; people general 'demand' their positions. Interests underlie positions and tend to be basic needs, while a position is often a statement of opinion about how to achieve that need. A position is much more easily altered than an interest. There are always places where parties' interests overlap in a conflict, whereas positions may appear mutually exclusive. The more intense the dispute, the farther apart positions tend to be from each other.

Attack problems, respect people. Transforming conflict can be as simple as reframing a situation - creating a new context in which people attack problems, rather than each other. The perception of a situation can be shifted so that both sides are working together on a common problem, rather than seeing each other as the problem. To address the problem in a cooperative problem-solving manner, it is important to discover mutual interests, generate options and develop agreements as steps for maintaining harmonious relations while dealing with problems directly.

Active listening and active speaking. When two parties in conflict speak together, one or both sides are often more concerned with formulating a response and winning the argument than listening attentively. Active listening is a form of communication that focuses on the speaker to improve mutual understanding and facilitate problem-solving. The listener must attend fully to the speaker, and often reflect back what was heard, enabling both parties to know if the message was fully understood. Active speaking is a communication process whereby a speaker appeals to another individual's higher self - the deepest level of humanity within each individual where dignity, integrity and compassion resonate the strongest. Often the key to achieving this is for the speaker to come from a place of respect, compassion and understanding. Active speaking is a courageous, creative act that requires the speaker to rise above their fears and concerns and speak from their own highest sense of self.
Perceptions versus reality. From the conflict resolution perspective, the absolute reality of a conflict situation is often less important than what each party's perception of that situation is. For example, while there may be no actual stated threat of violence between groups, the simple perception of a threat may be enough to bring one or both disputants to action. It is necessary to consider perceptions objectively and without value judgments, in an attempt to determine how such perceptions can create misunderstandings, limit options and hinder communication. Trust is a major player in this discussion.

Transforming stereotypes. Typically in protracted conflicts, extremely negative stereotypes of opposing parties form on the basis of group identities. This can lead to dangerous assumptions that can devolve to the point where adversaries become dehumanized, opening the door to violence. One of our main goals in working with identity-based conflicts is to shift such negative perceptions, re-humanizing combatants in each other’s eyes and paving the way for cooperative problem-solving. Methods for transforming stereotypes include facilitating inter-group contact, conducting workshops and activities that help to build social cohesion, and providing information via mass media that reduces the fear and misunderstanding.

Expanding identity. Often in violent, intractable conflicts, group identity is the central dividing factor in a dispute. Such a partition of identity creates an “us versus them” mentality, which inhibits communication and diminishes peaceful resolution. In order to remove these barriers, an overarching level of identification that includes both parties must be developed, thereby creating a new category which puts disputants in a better place to work toward a common future. A successful example of expanding identity is S. Africa’s transformation from the divisive apartheid system of Blacks versus Whites into the inclusive Rainbow Nation.

Other Important Distinctions:

Rights-based versus Interests-based. Rights are generally basic entitlements that are protected by laws and upheld by courts and other formal processes. Interests are basic human needs that speak to what is most important to a party in conflict.

Arbitration versus Mediation. Arbitration is where a third party (arbitrator, judge) makes a decision for parties in conflict. Mediation is where a third party guides parties to make their own decision to solve matters (self-determination) through consensus (mutual agreement).

Harm versus Dispute. A harm situation is where one party is responsible for causing an impact on another party (for example, offender and victim). A dispute situation is where both parties equally experience a clash of interests and each may feel they are ‘in the right’. Harm and dispute factors can hybrid together in many cases.
Tips for Transforming Conflict

When conflicts arise, many of us automatically fall into adversarial ways of thinking: you vs. me. Doing so typically means there is a winner and a loser. However, both sides usually lose something because the relationship is damaged and the problem is often not truly resolved.

Most of us are aware that there is a more constructive way to deal with conflict. Typically called a win-win, collaborative or cooperative approach, it can be applied to all kinds of conflict, from small everyday disputes to large ones that divide communities. At Search for Common Ground, we call this strategy the common ground approach, where the parties involved understand and honour their differences and find a mutually beneficial agreement based on shared interests—their common ground.

So, how do we move from an adversarial approach to a cooperative approach? By shifting our attitude and behaviour—and with practice and experience. Here are some helpful tips:

1. **Accept that conflicts are a natural part of life**: There are seven billion people sharing resources and living together on this planet. Conflict is the natural result of our differences. We all have different needs and we will always have conflicts.

2. **Treat conflict as an opportunity**: Conflicts are neither positive nor negative in themselves. It is the way we deal with the situation and the other parties that determines the consequences. Conflicts don't have to be destructive. Instead we can view conflict as an opportunity to grow, learn and improve relationships.

3. **Be aware of your initial reaction and take a deep breath**: We all have automatic responses to conflict. We may want to run away, put up our defences or dig in and fight. Our immediate responses depend on who is involved in the conflict and what it’s about. Instead of giving in to our initial impulse, it’s important to pause and think about our approach.

4. **Choose your approach**: There are always choices in a conflict. Some conflicts are just not worth dealing with. In other cases, we may feel the best response may be to say “no.” But when the goal is to solve the problem in a positive way, a cooperative approach is best. We have a choice—between a win-lose approach, where we focus on each other as the problem, and a win-win approach, where we solve the problem together.

5. **Listen and learn**: Conflicts are often based on stereotypes and lack of information. We need to find out more about each other—ask questions and listen until we truly understand each other’s point of view. We all want to be heard and understood. Truly hearing and being heard can actually transform a conflict.
6. **Discover what’s important:** We tend to have disagreements over our positions—the way we see things or what we want. But we seldom talk about our interests and needs—the reasons *why* our positions are important to us. There is value in expressing our interests and needs honestly, and asking the other parties about theirs. Often there is some overlap in these interests—the common ground where we are likely to find solutions.

7. **Respect each other:** Conflicts can be very emotional. Whatever happens, we must respect everyone’s dignity. A lasting agreement can only hold if the parties grow to trust one another. We need to take responsibility for our role in the conflict and stay away from blaming; blaming only creates resentment and anger.

8. **Find common ground:** Finding common ground does not mean settling for the lowest common denominator. It is about generating the highest common ground. Often when people disagree, they meet in the middle and everyone has to compromise. Finding common ground is creating a new “highest common denominator.” It means identifying something we can all aspire to and work towards together.

9. **Be creative:** There are always many different ways to solve a problem and meet a need. If there is trust and commitment, a solution is possible. The goal is to generate alternatives and make sure we address the deep issues, not just the superficial symptoms, so the conflict is less likely to recur.

**A final point...** We each make a difference. Working together to find common ground is a learning experience for all involved. It takes courage to take this route because it is rarely the easy option, but ultimately it can be the most rewarding. By choosing to deal with conflict in a non-adversarial manner, we create a place where it is safe to disagree and contribute to transforming the way the world deals with conflict.
Recommended Reading List for Resolving Conflict
(by Search for Common Ground)

Getting to Yes By Roger Fisher, William L. Ury 1981/1991. Everything you need to know about the art of negotiation. The authors use anecdotes to illustrate the positive and the negative aspects of negotiation styles. Principled negotiation is based on the belief that when each side comes to understand the interests of the other, they can jointly create options that are mutually advantageous, resulting in a wise settlement.

The Thirds Side By William L. Ury (formerly known as Getting to Peace). Ury explores the idea that fighting is not an inevitable part of human nature. Drawing on his training as an anthropologist, he presents a bold new strategy for stopping fights. He describes ten practical roles, in the categories of conflict prevention, resolution and containment, that each of us can play every day to prevent destructive conflict. Taking “the third side” is a powerful alternative that can transform our daily battles into creative conflict and cooperation.

The Eight Essential Steps to Conflict Resolution: Preserving Relationships at Work, at Home, and in the Community By Dudley Weeks. This book dispels the notions of conflict. He goes on to teach the reader a series of steps to transform everyday conflicts into healthy, strong, lasting relationships. His eight steps are easy to learn but require diligence to master. As the reader becomes more attuned to his/her methods of resolving conflict, Weeks’ ideas foster newfound ways of examining relationships with our loved ones, our co-workers, and our communities.

Watching the Wind: Conflict Resolution During South Africa's Transition to Democracy By Susan Collin Marks. A compelling, inspiring account of peacemaking in action. Watching the Wind takes us to the front lines of South Africa’s struggle to manage the tempestuous transition from apartheid to democracy, where "something extraordinary happened." The international community had expected a bloodbath, but what it saw instead was a near-miraculous process of negotiation and accommodation. Marks’ Watching the Wind is a poignant account of how conflict transformation works in practice.

The Peace Book: 108 Simple Ways to Create a More Peaceful World By Louise Diamond. “The search for inner peace is the search for our natural self.” Diamond guides the reader on a journey from inner peace, to peace with family, friends, and peace with the world. Every few pages, Diamond inspires the reader with famous quotations as she shares simple ways to create a more peaceful world. From non-violent action to peace and public affairs, Diamond’s practical style is easy to read and easy to understand. Her book provides a holistic approach to wellness and to the many conflicts we face in our daily lives.

Building Peace: Sustainable Reconciliation in Divided Societies. By John Paul Lederach. The author examines international conflict resolution techniques from many levels of society. He stresses the importance of long-term strategies for sustainable peace in conflict zones. Lederach scorns field practitioners that “parachute” into conflicts and ignore the needs of the grassroots population. Lederach asserts the need for constructing relationships across social, political, and economic levels.
Questions for Workplace Conflict Video Discussion:

1. How is the dialogue process in the video different than a typical response to a workplace conflict situation?
2. What did you notice about the role of the facilitator?
3. In what way did the facilitator choose to not intervene at times during the session? Why might this be important?
4. What did you notice about the identities of the two parties and about the values that were important to each of them?
5. How does this episode relate to your own experiences with workplace conflict? Any similarities or differences to what you saw in the video?

Role Play Instructions

In small groups of 3 to 5 people, create a workplace conflict scenario for which you use a humanistic approach to facilitation and resolution. One person will have the role of facilitator; the other’s will play the role of various people in the conflict. You'll have 30 minutes to prepare and then each group will demonstrate their role play to the full group in a 10 to 15 minute period. Given the time constraint, do the best you can to create the scenario and show how it could be handled. Perfection is not expected! The goal is to practice and get a taste of what it feels like to use a humanistic approach in small group conflict situations.

Note: When you explain the background to your situation to the larger group, you might also want to say that the facilitator has already had the chance to meet separately with the parties to prepare them for joint dialogue.
Case Study #1 -- Palestinian Offenders with Israeli Victims 2003

The case to be described involved two young male Palestinian offenders, Mohammed (15 ½ years old) and Sami (14 ½ years old) who were charged with attempted robbery and conspiracy to committing a felony. The victim, Rachel, was a young Israeli mother and the driver of the car.

The Crime. In January 2002, Rachel left her house one afternoon to go to a nearby village to pick up her infant son at his daycare center. It was a cold, rainy winter day. In the course of her trip, she slowed down to turn safely to the access road of the neighboring community. Suddenly, Mohammed, one of the youths, approached her car and signaled her to stop. He asked her to take him and his friend with her to the next village (which was the same place she was traveling to). Rachel, feeling pity for the boys standing in the cold rain without proper attire, accepted their request and allowed them to get into the back seat of the car. Rachel continued driving, but as she glanced at them through the rearview mirror, she saw that they each had pulled out a knife. Mohammed held his knife against her throat. Rachel felt the touch of the cold metal of the blade, a feeling that continues to haunt her. She felt that she was in mortal danger and that she was experiencing a terrorist attack. Rachel asked the boys through her panic, “What is it that you want? What’s going on!” Mohammed spoke to her in a threatening tone of voice telling her to pull over to the shoulder and stop the car. She was in a state of shock but continued driving until she saw a car approaching from the opposite direction. When the car came closer, she signaled it as if she was in distress. While all this was happening, she was driving with one hand on the steering wheel trying to drive straight and the other hand grasped Mohammed’s hand that held the knife on her throat. Suddenly, Rachel stopped the car, loosened her grip on Mohammed’s hand, threw off her seat belt, and jumped from the car in order to save her life.

The boys also jumped out of the car as it began to roll down an embankment. When Rachel saw the boys escaping, she used her body to try to stop the car from rolling down but without success. Rachel was in a state of shock, and her body was trembling. The driver of the approaching car was someone that she knew from the local village. Once the other driver knew that the police were on their way, he picked up her child from the daycare center, which was closing for the day, and brought her infant son to her.

When Rachel was reunited with her infant son, she tried to tap into her inner strength and regain control in order not to feel the terror that she had just experienced. Rachel was terribly upset by the fact that she had taken these boys in her car and that they had wanted to hurt and did in fact hurt her.

The major question that bothered her was what would have happened to her children if the outcome had been more serious. She put herself in danger and also her family in danger. She even was afraid of the consequences to the boys and their families had she lost control of the car. She thought of all the pain, the sorrow, and the loss for everyone.
After a long wait at the site of the event with her son and the police, Rachel returned home. Her life had changed. The lives of Mohammed and Sami and their families changed, as well. Mohammed and Sami were interrogated and detained in a juvenile facility for 15 days. Afterwards, they returned to their houses and were under partial house arrest enabling them only to attend school. A charge was brought against them for attempted robbery and conspiracy to committing a felony.

**Injuries and Consequences Suffered by the Participants.** The crime filled the victim’s life with feelings of terror and death. The deep feelings of distress accompanied her throughout the last year. At the time of the crime her husband was overseas and she chose not to inform him but to cope with the difficult event by herself. She found it difficult to function at home, and her three children also showed signs of distress. The victim’s auto insurance company refused to recognize the damage to her car because they claimed that Rachel abandoned her car by her own free will. Rachel was without a car for 10 days, a fact that made her life even more difficult for someone who lives in a rural community.

Since the event, she avoids passing through Arab villages. She has left her job and other projects that deal with the Arab community. And relations with Arab friends became strained due to the trauma she experienced. Every time she would hear Arabic she would feel a chill in her body and feel as if she was reliving the trauma. Rachel felt unpleasant toward the Arab friends of their family and knew that they weren’t guilty but her emotions overwhelmed her. Rachel was eligible and received counseling by a social worker of the social services department as a result of the event.

The lives of the boys and their families also changed since the event. The boys were arrested, interrogated and detained for 15 days by the police. For them this was also a difficult experience. This was the first time that they had ever been interrogated and arrested. The separation from their families during detention, the anger of their families against them and their crime increased their despair. Since then, the boys have been released and are on house arrest. The boys described the suffering that they experienced; the attitude of their families, relatives, parents and brothers changed toward them. At school, their acts were condemned and the attitude of their friends toward them also changed. The boys left their school and enrolled in a different school.

Mohammed’s father responded to his son’s actions in a very severe manner. He had a heart attack after hearing the news of what his son had done, was hospitalized and needs to continue taking medication. The father felt ashamed about the powerful impact of what his son had done. He wanted to correct the situation and contact the victim but her refusal meant that he would continue to suffer without a way to resolve the conflict.

Sami’s father also described the terrible injury to the honor of the family. The father was immensely embarrassed by his son’s actions. He raised 13 children, and his son’s crime hurt his good name and the name of the family.

**The Restorative Process.** The boys and their families expressed a strong desire and willingness to correct the damage that they had done and meet with the victim. They tried to contact her around the time of the crime, and in different ways, they tried to convey their message of “sulha” (to resolve the conflict) as is customary in the Arabic culture. Rachel expressed her absolute reluctance toward any contact with the boys and their families because of the difficult emotional state she was in and the trauma of the crime.

The juvenile probation officer for the boys consulted with the Restorative Justice unit of the Juvenile Probation Services in order to check out the possibility of mediation between the different participants involved. He considered that face-to-face interactions between the boys and the victim
might offer an opportunity for a direct and respectful dialogue with her, to restore relations and the damage caused to her, and to right a wrong.

In a separate meeting with the boys and their families, the mediator perceived their regret and their true desire toward reconciliation. The parents condemned their children’s behavior and also expressed their heavy burden as parents since the crime. The parents accepted responsibility for the acts of their children and it was apparent that the boys were extremely embarrassed in front of their parents for the actions they committed.

In a phone conversation with the victim, she described to the mediator her emotional state and her many dilemmas. At the time, the victim was unwilling to participate in mediation, so we decided to respect her wishes and to operate in the spirit of mediation circles, which addressed the needs of the affected communities. The mediator contacted representatives of the communities-- the Jewish community and the Arab community. In meetings with representatives from the educational and welfare systems, including the mayor of the Arab village, we began to put together ideas in response to the crime and in an effort to reduce the recurrence of similar violent crimes. During the mediation process, other political, economic, and budgetary problems also had to be dealt with.

While we were in the midst of developing plans for the community, the victim renewed her contact with the mediator and requested to reevaluate her participation in the mediation process. In private meetings with Rachel, she expressed her fears and concerns as she learned about our program. Rachel decided to go ahead with the restorative process of victim offender mediation. A total of 6 or more preparatory meetings were conducted separately with the victim, the offenders, and their families.

On January 1, 2003, all the participants met together for a mediation session. The participants were Rachel, her husband, her 11-year-old son, her brother, and her social worker; Mohammed, his father and his mother; Sami, his father and his brother; the juvenile probation officer for the case; and the case mediator. The participants came on time with the exception of one of the offender’s families. The continued delay added to the stress and tension and anger. When the mediation circle finally began, the atmosphere was filled with tension and suspicion. For the record, the mediator noted the late arrival of one of the families. She opened the session with the mediator’s statement. The participants voluntarily agreed to participate in the mediation process. The mediator related the crime in context to the political climate following the October 2000 “Intifada” and praised the participants for their decision to participate in mediation. Rachel, the victim, retold the events that she experienced. The boys and their parents listened carefully to her words.

The boys told about their involvement and accepted responsibility. Mohammed explained the idea behind the act he had committed from watching a movie with Sami. Mohammed told that he had no real intention of physically hurting Rachel. He wanted money. He expressed sorrow and deep regret for his deeds and explained that he didn’t consider the difficult consequences of his actions. And when he heard the words of the victim Rachel, he understood the serious implications of his actions.

Sami told about the event and said that he didn’t mean to harm Rachel. He said that he felt a lot of fear when he heard Rachel retell her experience. Sami expressed deep regret and asked for forgiveness from the victim and her family. The parents of the boys spoke about the painful feelings they had and expressed empathy for the suffering of the victim and her family. They also felt terrible suffering and expressed it. The atmosphere during the course of the mediation began to warm up. The two and a half hour mediation process allowed the parties to understand, to listen, to speak, and to express their feelings, thoughts and desires. The atmosphere allowed the parties to speak directly about the injuries to parent-child relationships, education, and neighborly relations between Jews and Arabs.
At the beginning of the process, Rachel and her family expressed feelings of anger, rage, and frustration. During the process Rachel and her family expressed understanding and compassion toward the boys and their families even a will to affect their lives in a positive way. Rachel and her husband spoke about the boys as if they were their own children. Rachel's 11-year-old son looked directly into the eyes of Mohammed and Sami and told them that he had hurt his mothering a bad way. He then said that he could forgive them but he would never forget how their behavior affected his mother. Her brother pointed out the paradoxical nature of the situation in that it was due to her kindness and wanting to help the boys with a ride that resulted in the crime.

A Summary of Outcomes from the Mediation Process.

For Rachel: The mediation session gave her an opportunity to re-establish control and self-confidence that had been hurt by the crime. She was able to find meaning in the events and to develop empathy for the boys. The session helped her release herself from blame and provided a sense of normalcy for the reactions and suffering she experienced. Rachel’s retelling of the story allowed her to vent her feelings of anger and fear and this was actually part of the process of healing. The mediation process fulfilled her need to be in a safe place, emotionally and physically without feeling judgmental or guilty.

For the boys and their families: This meeting fulfilled the need to live in a society without social and cultural injustice, to distance the boys from the criminal subculture, and to reintegrate them into the community by renewing the trust in their place in society. The boys were given an opportunity to take responsibility in an active way towards the victim and towards Rachel’s community. Rachel acknowledged that the boys had also suffered, and they understood that their behavior had hurt her as well as her family and community. The boys and their families expressed willingness to do all they could to help heal the wounds their actions had caused and lessen possible damage in the future.

The meeting ended with a settlement written by the participants, which was later accepted by the juvenile court in lieu of a conviction. At the end of the mediation session, which lasted 3 ½ hours, all the participants expressed feelings of satisfaction and relief that the process gave them allowing them to bridge the conflict, hurt feelings, and thoughts that disturbed them.

Conclusion. The impacts of the restorative justice process of victim offender mediation upon the participants of the case presented in this article are consistent with research that has emerged from Canada, the United States, Europe, and South Africa over the past two decades. This case provides a clear example of the ability of victim offender mediation and dialogue to foster accountability and healing between individuals from diverse cultural and religious communities, and in the context of prolonged severe conflict and violence between Israeli and Palestinian in the mid-east. The intense experience of Rachel, Mohammed, Sami, and their families, even though expressed on a micro level, bodes well for future relations between Israelis and Palestinians as they rebuild their societies following a hoped for negotiated two-state peace agreement that has yet to materialize. The restorative dialogue experience of these participants has the potential of being offered on a far wider basis and as a bridge toward greater understanding and tolerance among all diverse populations in the region.
Case Study #2 -- IRA Bomber Meets Victim: Dialogue in Dublin 2000

One of the boldest IRA operations against British rule was committed on October 12, 1984. Patrick Magee brought the conflict to England by placing a bomb in the Grand Hotel in Brighton where the Tory government under the leadership of Margaret Thatcher was convening a national meeting. Many were injured and five people were killed, including Sir Anthony Berry, a junior minister in Margaret Thatcher’s government. Patrick Magee was caught and received a 35 year prison sentence for a conviction of murder. Sir Anthony’s daughter Joe Berry began a long journey of trying to understand why someone would kill her father. The lives of Patrick Magee and Joe Berry could not come from further places, with Patrick coming from a working class Catholic family and Joe from an upper class Protestant family, being a cousin of the late Princess Diane. Yet following the Good Friday peace agreement in 1998 when Patrick was released from prison after serving 14 years, their lives began to come closer to each other. Joe was determined to meet Patrick and eventually he agreed. On November 24, 2000, they met in a secret location in Dublin for nearly 3 hours in a highly charged emotional, encounter. Joe’s need to understand why her father was killed in the name of political goals was beginning to be met. Both began to see the human impact of the infamous Brighton bombing on their lives. And both agreed to meet again, and again. During the next 18 months, Joe and Patrick have met periodically. They have moved from being enemies to actually caring about each other and their families. Their lives have been deeply transformed through human encounter of dialogue. Patrick speaks of how meeting Joe now has in some ways become more difficult. He not only has to deal with the fact he killed her father, but that he killed the father of a friend. Joe speaks with passion of how this encounter contributed to peace and healing within her life. Both are outspoken advocates of transformation dialogue as a path to healing the wounds of political violence and death Northern Ireland.

Case Study #3 -- 911 Hate Crime: Restorative Community Conference

Nearly two hours after the September 11th terrorist attacks, a hate crime was committed against the Islamic Cultural Center in Eugene, Oregon. Having watched the towers collapse on television, a middle-aged man went to his phone book, looked up the Islamic Cultural Center, and made a call. The director of the center, a prominent leader of the local Muslim community, answered the phone. The caller, raging and spewing profanities, made a death wish to all Muslims. Later, he made a second call to the community mosque, leaving a similar message on their answering machine. Rather than following the conventional criminal justice process, the director of the Center and his wife chose to engage in a process of restorative dialogue with other community members and the offender himself.

The director, Tammam Adi, had immediately contacted the Human Rights Commission to enlist their help and protection. They were able to trace the call and by that evening the caller had been identified. He was taken into custody, and after a short time, released. Soon after, the District Attorney’s office noted that the offender lived in the Bethel neighborhood where a new Community Accountability Board was operating in conjunction with the Restorative Justice Program of Community Mediation Services. The assistant to the DA was a strong restorative justice advocate and referred the case to Ted Lewis, Manager of the Restorative Justice Program at Community Mediation Services in Eugene, Oregon. Two other important factors helped bring the case to restorative conferencing: 1) the caller told the prosecuting attorney of his intent to apologize and make amends, and 2) the Muslim
leader and his wife expressed willingness to speak with the man who had threatened them. They also did not want a courtroom process where they might look as though they were vindictive.

As lead facilitator for this case, Lewis recognized the importance of preparation meetings before face-to-face dialogue could be considered. With two other mediators, a separate intake was conducted with the offender, Christopher Younce. He described the details of his crime along with his motives and his history with anger issues. By the end he said, “I’d like a peaceful solution.” Next came a preparatory meeting with the Adis. Two main concerns emerged from this meeting: first, the Muslim couple had been traumatically affected by the hate call, and second, they were committed to finding some way of mending the harm. After responding sensitively to the first concern, listening respectfully to the victims’ experience of harm, the mediators were able to address the couple’s second concern, building trust in the potential for a peaceful resolution of the traumatic event. The victim party discussed the problem of media stereotypes and also described how they felt like “sitting ducks” in this period following the attack, and the fear of answering their phone again. Central to their needs was a way to make sense out of it all. “Why did he do this to us?” was a question that continued to surface. After two sets of preparation meetings with each party, stretching over three weeks, both sides indicated a readiness for joint dialogue in a community conference model.

The first joint meeting was set for October 10, nearly one full month after the tragedy. Twelve community members of the accountability board attended the meeting. Also present were the prosecuting attorney, the assigned police officer, a rep from the Human Rights Commission, and the assistant district attorney and a probation officer who helped launch the board. Lewis served as lead facilitator, and made sure that the victim and offender parties along with their support people could sit in separate areas accompanied by a staff person familiar to them. This was meant to ease the stress of entering a room bustling with people before the conference.

The meeting took place over two full hours, and was characterized by a significant amount of emotional tension. Introductory statements by Lewis acknowledged the unique aspects of this case in light of the September 11 attack. Noting that harm was caused by destructive words, he highlighted the importance of using constructive words in a restorative justice process that sought to repair these harms. There was some concern that Younce was not offering the kind of responses hoped for by the Adi’s and the community board. He apologized early on, but the Adi’s were dissatisfied with his answers to their questions and doubted his sincerity. Younce, however, knew that if this process did not succeed, the prosecuting attorney was prepared to file criminal charges against him. Inviting the prosecuting attorney to be present at the meeting likely inhibited Younce from giving the more candid responses the Adi’s had hoped for. Nevertheless, the victims had welcomed the attorney’s presence.

The community members present had some important things to say to both parties. They made several empathetic statements to the Adi’s who later expressed their appreciation for their involvement. Community members also conveyed to Younce that they were there to support his process of accountability and reintegration. Younce, though appreciative of the process, was overwhelmed by all of their questions, and felt under pressure to provide the right response. At one point, a community member pointed out that Tammam Adi was not able to make eye contact with the offender, though his wife was able to. He acknowledged that this was so. It seemed that he came into this joint meeting feeling more vulnerable than he had during the intake meeting.
In spite of the limited success of the first meeting, everyone agreed to meet again in order to work toward a better sense of resolution. The next meeting would take place two weeks later, October 30. In the meantime Younce would be able to meet with a counselor and work on addressing some of his concerns around anger as agreed. Following the meeting, after everyone else had left the room, Younce hung back to speak with Lewis alone. He shared his apprehensions about the meeting and how he had felt a bit under fire. He also confided that it had hurt him deeply when a community member expressed reservations about Younce raising a child given his rage and racial prejudice. During the intake session, Younce had told the mediators about the loss of his 20-month old son six years before, following surgery. He had died on September 14, and every year at this time Younce suffered bouts of anger and depression. Lewis encouraged Younce to share this at the next meeting with the Adi’s.

During the following weeks, Lewis checked in with the parties by phone, and was encouraged to learn that everyone was invested in a positive resolution. Younce kept his commitment to see a counselor. The Adi’s needed to spend time going over the questions they wanted answered, and firming up their requests for restitution. They were still struggling with questions like, “Did he act alone or as a member of a racist group?” “Was this a first-time racist act, or part of an ongoing pattern?” “What went on in his mind between the time of seeing the news and picking up the phone?” In short, the victims needed to hear Younce state why he did it, and why he wouldn’t do it again. They also wanted very much to know whether negative stereotypes in the news media played a role in the offense. The importance of Mrs. Adi’s role became especially clear during this time. Although she had been impacted by the hate call, she was farther along emotionally in her processing of the event, and thus able to help her husband move toward trusting the process, as well. During one of these conversations, Tammam Adi wanted to know what Lewis thought was most important to address in upcoming meeting. Lewis suggested that, since it might be difficult for Younce to fully account for his actions psychologically and socially, it would be helpful to focus on reaching an agreement with clear, achievable goals. He proposed that in the first hour they address any remaining concerns related to the impact of the hate call, and that the second hour be devoted to reaching some kind of resolution.

On October 30, the parties came together for the second meeting. As before, each party waited in separate rooms while the community members took needed time to debrief the previous meeting and to get oriented for the follow-up session. Lewis proposed the agenda for the two-hour meeting in which the parties would attempt to complete the discussion of harm and motives during the first hour, and move into the resolution stage in the second hour. The court reporter from the region’s primary newspaper was present at this meeting. Lewis explained that the reporter was there “off the record,” but would likely be involved in follow-up interviews and future coverage.

The community members opened with a brief discussion of community expectations for neighborhood residents, and the impact of the crime on the community. Younce then began by providing an update on his progress with counseling, with his family and relatives, and with his job. He mentioned that he had told his employer about the whole situation, which impressed the victims. Most importantly he brought up the death of his infant son, helping the Adi’s understand the very real, human suffering behind Younce’s misdirected rage. Tammam Adi responded, addressing a string of questions to the offender. Younce did his best to answer, covering much of the same ground he had covered in the first meeting. Only this time, Adi was better able to take in the answers offered. “I’m satisfied with what I have heard,” he said in response. “I think we can move forward.” A palpable shift took place in
the room. The prevailing tensions were exchanged for a lighter, more optimistic mood that prevailed throughout the rest of the meeting.

After a short break the group began to discuss options for restitution. The Adi’s asked for a public letter of apology to the Muslim community. They also wanted Younce to attend two upcoming lectures on the religion of Islam. After further discussion three more agreements were added: that Younce would cooperate in news coverage of the case, commit to continue his counseling, and (at the request of one community member) speak to teens in juvenile detention about his experience. The Assistant District Attorney created a written document that was signed by all parties. At one point the concern was raised that Younce’s new job might be jeopardized by the press coverage. Adi said that if it came to that he would personally talk to the employer to help the offender keep his job. Younce was moved by this, but simply said that he was willing to accept any and all consequences for his actions. At the close of the meeting, Tammam Adi unexpectedly reached across the table to shake the Younce’s hand. It was a moving gesture that spoke eloquently of the progress the two parties had made. Once the agreement was signed, those present got up and began shaking hands with one another in good spirits, buoyed by the sense of relief and reconciliation in the room. All of the conditions were completed by Younce over the following four months, and he reported to Lewis that he sat next to Pat Adi during the two lectures on Islam.

**Concluding Thoughts**

A number of factors contributed to a successful resolution. A remorseful offender was willing to make things right. The victims were committed to peaceful, constructive dialogue. The community had an established program for addressing conflict restoratively. And collaboration between justice agencies was strong. Finally, the parties and community members were willing to work through tense emotions toward eventual resolution. In the midst of the volatile cultural climate following the September 11 attacks, the case involving Younce and the Adi’s embodied the courageous journey from hatred to healing. It offered hope for peaceful, creative solutions to conflicts rising out of misguided rage and racial prejudice. It allowed a grieving Oregon community to play a cathartic role in responding to a local hate crime that had great symbolic meaning in the context of a national tragedy. Their story and others like it, shows how community reconciliation and personal growth can emerge from some of our most painful life experiences.
GUIDELINES FOR CIRCLE PROCESS FACILITATORS

Professor Janine P. Geske
Marquette University Law School Restorative Justice initiative

1. Prepare, prepare and prepare in advance

a.) Give thought to who will be included. If you are inviting participants to the circle, give much thought about who is going to be in the circle. Hopefully the circle will contain a variety of stakeholders in the issue you are addressing. The circle will be more meaningful if everyone hears stories from a diverse group of people with different perspectives.

b.) Consider the number of participants. If you have an open invitation for participants, try to keep the number to less than 25 otherwise the circle may take too long. You do not want to start losing people before everyone has had a chance to talk. Ideal numbers for deeper sharing (in a limited time frame) are circles between 8 and 12.

c.) Have the room completely prepared. Before people start arriving it is important to have all chairs set up so that they enter a welcoming and peaceful environment. If you do not know the people, go up and introduce yourself to them. Tell them to have a seat but that you might rearrange people later to make sure that groups of people are not clumped together.

d.) Prepare a centerpiece. This is optional but it helps to set a special mood. Think about what you wish to put in the middle of the circle as a centerpiece. A colorful cloth, blanket, or rug works quite well. Perhaps adding a candle, shells, flowers, a plant, or small items significant to the group would be nice. It is important to be thoughtful about setting the scene.

e.) Select a talking piece. A Native American talking stick or a smooth stone or rock is good. There may be something more appropriate for the circle that has meaning to the group. Make sure it is easily handled and passed. Many people take the talking piece and then touch, stroke or even move it from hand to hand when speaking so you want your talking piece to be compatible with holding it.

f.) Prepare your questions for the circle in advance. Any question should be one that everyone in that circle could answer. For example, a variety of school employees would not be asked to share about classroom teaching, but asked to share a special moment they spent with a child in the school setting. Have several questions and be prepared to change a question during the process. The key is to always ask questions that invite the participants to share a personal experience.

g.) Know how you plan to open and close the circle. This is like knowing how to introduce and conclude a speech. When these bookends are strongly in place it helps to hold the whole process together in a way that flows.
h.) Be mindful of where people sit in the circle. If you can catch people as they come in and sit down, try to break up the natural “groups” of people. When people who know each other or who represent the same interests all sit together it can very much affect the storytelling process if people with similar stories are all sitting together.

i.) Check in with the ‘first-pass’ person. Since the talking piece is typically passed from the keeper to the person either on the right or left of the keeper, it is important to either select a person for that spot or to simply tell that individual in advance that he or she will be the first to speak after you ask people to share. There are several considerations here. That person will have less time to think in advance and if he or she passes or give a very short answer that is off track, many will follow that lead. So be very intentional and thoughtful about who sits next to you and how you explain it to them. A good opening comment by a participant really helps the circle off to a good start.

2. Starting the Circle

a) Introduction. Introduce yourself. Ask people to silence cell phones and other devices.

b.) Circle tradition. Talk about the history of the circle and the talking piece. Explain why you are using the piece you chose. Talk about how the Native Americans believe that when you are holding the talking piece, you must tell the truth. (If appropriate you may want to talk about the sacredness of the piece) Many circle keepers will do something ceremonial to start the circle and to finish the circle. It is important to remain sensitive to the various traditions that may be represented in the circle.

c.) Creating comfort. The facilitator of the circle needs to work to insure that people feel comfortable. Many in the room who are coming into this process may be skeptical of what is going to happen. Often people have fear that this will be a touchy-feely, uncomfortable endeavor. Explain to them how the circle is mainly about creating a deeper way of listening to one another and that no one has to share anything they do not want to.

d.) Personal Experience. Discuss personal storytelling with the group. One of the most important things you will do is to emphasize that each person who speaks should talk about his or her personal experiences and not take the time to critique the conduct of others or to generally talk about a subject. Give them examples that can help guide them. (I think sharing stories with the group in advance really helps people understand what kinds of stories they might want to think about telling the circle.)

e.) Time constraints. Generally a community circle should not go on longer than 2 hours unless everyone has more time set aside. Tell the participants that it is important that when they are speaking that there has to be enough time so that everyone in the circle can talk. If they forget and get caught up in their story and are talking too long, you may have to gently remind them (or signal them by putting down a piece of paper in front of the facilitator) that they need to finish up. Again, it is important to gently warn them before the circle begins so it is not too upsetting if you need to hurry them along.
f) **No cross talk.** Emphasize the importance of honoring the talking piece and to never speak in a circle unless the talking piece is in your hand. Make sure everyone understands that no one (including you) should respond to the person talking. No one should ask questions or offer comments. In other words, absolutely no cross-talking in the circle. Everyone is to simply talk from this or her hearts and from personal experiences and then deeply listen to the others.

g.) **Pass option.** No one is forced to speak. Tell the participants when they receive the talking piece they need not speak. They can simply pass it to the next person. However emphasize how their story will probably impact at least one other person in the circle...and it is a gift to the circle to share one’s experiences.

h.) **Listening is central.** One of the key objectives is for each of us to truly hear each other. We are to listen with our hearts as well as with our heads.

i.) **Participant introductions.** Ask each person to introduce himself or herself (if necessary) and to share something about his or her life. (Depending on the time you can ask for more or less information.) Pass the talking piece around the circle to accomplish that task.

3. **Passing the Talking Piece**

a.) **Leave some silence.** Ask the question and then take a few minutes of silence for people to center themselves and call something to mind. Tell them they need not search their mind like going through a Rolodex for the best story, but simply share the experience that first came to mind.

b.) **When to intervene.** You will have a very minimal role after asking the question. If people start talking to someone else out of turn, gently remind them that there is no talking when they do not have the talking piece.

c.) **Track the time.** You need to keep track of the time so everyone will have the opportunity to speak. If someone goes on and on and drops the group energy, you can intervene politely to move things forward. (This is where it is important to have prewarned the group so that your interruption does not appear to be related to your view on the value of the story.)

d.) **Keeper sharing.** When you get the talking piece at the end of a round you can share or not share...your option to decide whether it is appropriate. But unlike mediators, keepers are full participants in circle sharing. Also, when the talking piece returns to you, you can pass it around one more time (especially if some did not speak) to give people another opportunity to participate in the first question.

e.) **Questions about harm.** If your question was about harm and who was harmed or affected, you may want to follow up on this a pass the piece around a few times, asking how people were affected and what is needed to be done for the harm to be healed and repaired.

f.) **Flexibility.** You must remain flexible as a circle keeper adjusting the questions, your comments and even the direction of the circle depending on what is happening. You must stay
mindful and open to the process to best judge what ought to happen next in the process. If you are thinking too much about a planned script you have planned, you will often miss the spirit of the process that may take the group to a completely different direction than the one you anticipated.

4. Ending the Circle

a) Looking to the future. You may want to ask about next steps, personal commitments or other ideas that flowed from the circle. If necessary, people can sum up the practical things that can and will be done in the days to come.

b.) Reflecting on the circle. Ask people what they thought of the circle and pass the talking piece around one more time. If you do not have much time, just have people give one word that describes what they thought of the process.

c.) Closing the circle. You may want to end with some sort of ceremony, or reading a special quote, or having people stand together and taking a deep breath. At the end, thank everyone for participating and announce that the circle time is done.

Some Types of Circle Processes

a. Community building (or team building) circles
b. Planning circles
c. Conflict related circles
d. Harm / Healing circles
e. Sentencing circles
f. Forgiveness circles
g. Peacemaking circles
h. Prison restorative circles
i. Grieving circles
LARGE GROUP RESTORATIVE DIALOGUE:

AN OVERVIEW OF RESOURCES TO FOLLOW

DESIGN PRINCIPLES & KEY QUESTIONS
How do we design a restorative dialogue process for a large group? If restorative dialogue is to be effective, it must be designed based on the specific needs of the particular participants. What kind of process will facilitate meaningful, respectful conversation in this situation? In order to answer this question, let us focus on design principles and key questions that will guide us in shaping dialogue that is restorative, especially for large groups where the challenges are more significant.

A CONVERSATION AGREEMENT
How can we create a process where people will feel safe enough to speak their deepest truth? A key component of restorative conversations is safe space, meaning the participants feel assured that they can share what is important to them and be listened to with respect. They need to know the process will not allow for attacking, demeaning behavior. To that end, a Conversation Agreement can be created by the participants, through a guided process at the beginning of the dialogue, which will create a sense of safety and allow people to share openly their perspectives and hear the views of others.

COMMUNITY DIALOGUE: A LARGE GROUP PROCESS
Given the design tools above, what might a restorative process look like? It is time to shift to the concrete and specific details of a sample model for large group dialogue. This section walks you through the four stages of such a process and describes the goals and tasks for the steps in each stage. In actual use, this model will be customized to the particular needs of the participants.

SAMPLE QUESTIONS FOR GENERAL DIALOGUE
What kinds of questions will support any dialogue process? Let’s explore some principles for creating effective questions, and examples of these guidelines in action as catalysts for meaningful dialogue at various stages in the process.

PREPARING FOR DIFFICULT CONVERSATIONS
How can participants prepare themselves for the dialogue, in a way that enhances the possibility for positive outcomes? Individual preparation for dialogue is a highly effective practice that contributes to the restorative potential of a conversation. These questions for reflection constitute the inner work of peacemaking.

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LARGE GROUP RESTORATIVE DIALOGUE:

DESIGN PRINCIPLES & KEY QUESTIONS

1) Provide face-to-face preparation of individuals or groups.
   • Who is involved in the situation and may be invited to participate?
   • Who will make the decision about invitations to participate?
   • How will potential participants be approached, and by whom?
   • How, when, and where will preparation be done?
   • Will preparation be done with individuals, or groups?
   • What basic dialogue model might fit this situation, given the advantages
     and disadvantages of various processes?
   • What information about the dialogue model will be shared with
     participants during preparation?

2) Create a safe space where voluntary, respectful, open dialogue can
   occur, and everyone can have a voice.
   • What physical space will be needed: kind of room, setup, seating?
   • How many participants will have the opportunity to speak?
   • What kind of opening will be used?
   • How will conversation guidelines be created, shared?

3) Focus on personal narratives that include concrete information and
   feelings, and describe the impact of the experience on people’s lives.
   • What question/s will be asked to elicit personal stories and foster
     meaningful connections among participants?

4) Encourage participants to share what is important to them, e.g.
   underlying needs, values, interests, hopes, past experiences.
   • How will you preserve the integrity of the dialogue, the safe space, using
     conversation guidelines, checking in, or...?

5) Encourage participants to work collaboratively towards consensual
   resolution, repairing any harm created, and restoring self-respect,
   relationships, community, and a sense of safety and wellbeing.
   • How will the participants brainstorm agreements?
   • How will the dialogue move towards resolution in a manageable time
     frame?
   • What options for follow-up will be presented?
   • What kind of closing will meet the needs of the group?

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LARGE GROUP RESTORATIVE DIALOGUE:

A CONVERSATION AGREEMENT

When difficult issues arise, people are often concerned about discussing them because they fear the tension and what they or others might say or do. Will people explode, leave the room, say disrespectful things, refuse to listen, refuse to speak? In order to create a safe space for a difficult conversation, consider establishing a Conversation Agreement. Such an agreement helps to define the nature of the conversation, i.e. how people will talk to each other, and serves as a powerful symbol of common ground and mutual commitment for the group. The Agreement can also function as an ongoing guide for expectations and norms in that particular setting, a kind of relational covenant or pact, a protocol.

Before the conversation, ask participants to consider this question: “What do you need in order to feel safe enough to speak your truth, to share with the group what is most important to you?” Then when you begin the dialogue, ask the question again, and go around the circle inviting each person to offer one idea and to help you frame the idea in an affirmative way, e.g. “We will....” When everyone has had a chance to share a thought, go around again, harvesting additional ideas or suggestions for altering what is written. The facilitator may wish to add the statement “We all share responsibility for these agreements” and explain that if anyone feels the Agreement is not being followed, they are urged to bring it to the attention of the group.

Gather feedback until you have an agreement it appears everyone can support. Then go around, asking for consent from each person, a “yes” or nod of assent. As you begin the conversation, invite the group to read the agreements together aloud, if appropriate and you’re certain everyone can read.

Here are examples of the agreements people have made:

1. We will listen, speak, act with respect and patience.
2. We will speak and listen from the heart.
3. We will seek to have open minds and to understand each other.
4. We will speak from our own experience.
5. We will hold this conversation in confidence.
6. We will be mindful of our own body language.
7. We will give each other the benefit of the doubt.
8. We will share our perspectives honestly and stay true to ourselves.
9. We will value everyone’s contributions, even if we do not agree.
10. We understand it’s OK to share humor.
11. We all share responsibility for the process and these agreements.

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COMMUNITY DIALOGUE: A LARGE GROUP PROCESS

A. INITIATION

1. After a problem is identified and dialogue is requested, the facilitator contacts the appropriate people in order to determine:
   a) Who is involved in the situation?
   b) Who needs to be invited to participate in the dialogue process?

2. The facilitator contacts those to be invited and requests a time to meet with them, either individually or in small groups, depending on the nature of the problem, in order to:
   a) Learn about their experience of the problem;
   b) Describe the proposed dialogue process, and invite suggestions for adapting the process to the needs of the situation;
   c) Discuss and determine their interest in participating.

B. PREPARATION

1. The facilitator meets with potential participants:
   a) Introduction: facilitator introduces him/her self, as necessary, shares the request for facilitation, and explains his/her relationship to the problem, so that potential participants can determine whether or not the facilitator can be trusted to create a safe and respectful space for dialogue that honors the contributions of everyone.

   b) Overview of the Problem: facilitator invites potential participants to describe their experiences and perspectives:
      1) What has happened: what have you seen, and heard...?
      2) How have you felt about it?
      3) How has this experience affected you?

   c) Overview of the Process: facilitator describes the purpose and the stages of the proposed dialogue process, as outlined in the Dialogue section below.
d) Discussion about Participation: facilitator engages potential participants in considering the opportunity to participate, e.g. exploring what might be the benefits or risks, what kinds of things they might want to share in the dialogue, how it might feel to participate.

e) Making Plans: if they wish to proceed, the facilitator
   1) Invites suggestions for adapting the process to the needs of the situation, including ideas for opening and closing, centerpiece, if desired, and talking piece;
   2) Discusses time and place for the dialogue process;
   3) Invites participants to prepare themselves by asking themselves:
      • How can I share my story so that others can hear it and understand?
      • What needs, life experiences, values, concerns might have led others to different perspectives?
      • What will you need to have present in the dialogue process in order to feel you can share your experiences and perspectives?

2. The facilitator makes the necessary arrangements for the dialogue, including refreshments, and works with all participants regarding any needs or desires.

3. If the problem has generated intense feelings or trauma, healing or support gatherings or particular people may be convened in preparation for coming together.

C. THE DIALOGUE

1. Welcome and introductions

2. Opening (laying the groundwork for constructive dialogue):
   a) Purpose of dialogue - what is hoped for
   b) Role of facilitator
      1) neutral
      2) facilitate process of dialogue, not make decisions
      3) maintain confidentiality
   c) Overview of steps in the dialogue process: ongoing design creation, e.g.; separate meetings can be arranged, if the parties need them
   d) Agreement on Conversation Guidelines (their guidelines for their conversation):
      1) Create guidelines: What will you need to have present in the dialogue process in order to feel you can share your experiences and perspectives? (See: “A Conversation Agreement”) OR
2) Share guidelines others have used and adapt and get a nod of consent from all participants, e.g.
   • each person is allowed to speak without interruption
   • we will speak and listen respectfully
3) Prepare to begin: facilitator or participants share a reading or a thought

3. Narratives/Storytelling (Participants share experiences and perspectives):
   a) What has happened: what have you seen, and heard...?
   b) How have you felt about it?
   c) How has this experience affected you?

4. Exploring Options and Creating Agreements:
   a) Where do we go from here?
   b) What are the possibilities?
   c) On what can we find consensus?
   d) What details can we work out now?
   e) Facilitator records agreements and participants sign

5. Closing (honoring the dialogue and the participation regardless of results)
   a) Facilitator or participants share a reading or some thoughts;
   b) Facilitator expresses appreciation to participants for their courage, effort, and contributions;
   c) Arrangements are made for participants to get a copy of the agreements they made;
   d) Arrangements are made for follow-up, as desired;
   e) Facilitator wishes participants well, draws the dialogue to a close, and urges them to stay for refreshments.

D. FOLLOW-UP (as needed and requested)
LARGE GROUP RESTORATIVE DIALOGUE:

SAMPLE QUESTIONS FOR GENERAL DIALOGUE

These are just ideas--use your own words, intuition, wisdom. Keep questions simple, relevant, non-threatening, without condescension or coercion. Honor, acknowledge, express gratitude for whatever is shared.

BEGINNINGS:
• What would you like to see happen in this conversation?
• How would you like to feel when you leave here today? How might you get there?
• What hopes and dreams do you bring to this conversation?
• Picture in one month how you’d like to be relating to each other, communicating. What would it look like, and what steps are needed for that to happen?

DIALOGUE
• What has been your experience with this issue - what have you seen, heard, felt?
• How have you been affected by this experience?
• Can you remember a time in your life when you felt hopeful because you had worked through a conflict with someone in a way that felt good to you? What was that like? How did you achieve that?
• What changes would you like to see in this situation? What are the actions you’d be willing to take responsibility for in order to change the situation?
• What ideas do you have for improving the way you work together and communicate? What could you personally do differently that might help?
• How can we support each other in this situation? What feels like support to you?
• Is there anything you’d like to say to others in this room that would help you make peace with the past and move forward in a good way?

WRAP-UP/CLOSING:
• What is getting your attention, percolating, resonating, or rumbling in you?
• What has moved you? What has meant something to you?
• What is shifting for you as a result of your experiences this day?
• What have you learned in this conversation about yourself, others, life/work?
• What has this experience been like for you?
• What one thing will you take with you from this conversation?
• Do you have any final thoughts you’d like to share with the group?
• What is one word/phrase you want to offer the group, as your gift?
LARGE GROUP RESTORATIVE DIALOGUE:

PREPARING FOR DIFFICULT CONVERSATIONS

Ask yourself these questions about others:

1. How do you think others view the situation, and what feelings might they have?
2. What do you think is important to them in this situation - what concerns, interests, needs, values, desires?
3. How might they have developed their perspectives? What professional and/or personal experiences may have shaped their views?
4. How might it feel to walk in their shoes, live their lives?

Ask yourself these questions about yourself:

1. How do you view the situation, and what feelings do you have about it?
2. What’s important to you in this - what concerns, interests, needs, values, desires?
3. How did you develop your perspectives? What professional and/or personal experiences may have shaped your views?
4. Do you share any of the others’ values, concerns, needs, experiences? Do you have any common ground, any shared positive experiences?
5. What role have you played in this situation, and what has been the impact? Looking back, would you do anything differently? Is there anything you’ve said or done for which you can make amends?

Ask yourself these questions about the conversation:

1. How can you care for yourself in this situation so that you can bring your best self, drawing upon your own personal and spiritual resources?
2. How can you prepare to listen for understanding?
3. What might you want to say to others, and how can you say it in a way they can hear it and not feel attacked, a message about your own experience that is respectful both to them and to you?
4. What do you want to see happen in this conversation, and what approach will promote that end?
5. Is there anything else you can do to build mutual trust and understanding?
Formal and informal justice in Liberia

Pewee Flomoku and Counsellor Lemuel Reeves

How can we ensure that all Liberians will have access to justice they understand and believe in? We should ask each other how dedicated members of our formal and customary justice system can ensure all Liberians are afforded their rights under the Constitution.

President Ellen Johnson Sirleaf, Access to Justice Conference, Gbarnga, Bong county, April 2010

In this article, Pewee Flomoku and Counsellor Lemuel Reeves from the Carter Center describe their organisation’s experiences in promoting justice in post-war Liberia, in particular in linking traditional and formal justice systems.

The justice system that President Ellen Johnson Sirleaf inherited when she came to office in 2006 was in tatters. Particularly in rural areas, police and magistrates were largely unpaid and unregulated, and were often operating in their own interests.

A critical peacebuilding challenge for Liberia has been to build its citizens’ trust in the justice system – to persuade them that it acts in people’s interests. In recent years, much work and international support has gone into improving the formal justice system: training judges, magistrates, prosecutors and public defenders; renovating court buildings; and regularising salaries.

But the benefits of these reforms have so far been slow to trickle down to ordinary citizens, especially those beyond the capital, Monrovia. In the absence of strong oversight mechanisms, there are no guarantees that corrupt practices will change.

Rural Liberians pursue justice almost entirely through traditional means. A 2008 survey by Oxford University [see Further Reading] found that rural citizens took only four per cent of criminal cases and three per cent of civil cases to the formal courts.

Chiefs, elders or spiritual leaders resolve disputes based on widely accepted cultural paradigms. But some traditional approaches are at odds with formal mechanisms, and can be highly controversial. A rape may traditionally be ‘talked through’ because it is seen as a problem between families and it is for the perpetrator and his family to make the victim and her family whole again; this can include payment, or sometimes even marrying the victim. The statutory system, by contrast, sees rape as a crime against the individual, which requires individual punishment.

When the newly elected government took power in 2006, the rule of law was so weak in most rural areas that an immediate priority for the Ministry of Justice (MOJ) was to educate citizens on how the law should be implemented, as well as to teach people about important reforms such as amendments to law governing rape and changes to the inheritance law to allow women in customary marriages to inherit property.

In partnership with the MOJ, the Carter Center initially worked with three rural community organisations to do this work. Over the course of one month rural citizens in eight of Liberia’s 15 counties were asked about their experiences of the law; based on this research, messages for community dramas and radio were developed by the MOJ for civic education campaigns. This programme made a simple but significant contribution. It showed rural Liberians that the government recognised the daily realities of ordinary people and was trying to act in their interests by providing them with the knowledge needed to exercise their rights, even while formal justice mechanisms would take longer to reform.
Through cooperating with the MOJ and the Ministry of Internal Affairs (MIA), the Carter Center’s programming has supported justice reform. We have also increasingly developed a significant ‘bottom-up’ complement to formal international post-conflict rule of law interventions. This has helped to provide information and services to marginalised rural populations, and build bridges between customary and formal justice systems and between rural citizens and the state.

**Strengthening formal justice and improving access**
The Carter Center has provided capacity and technical support to the MOJ. We seconded a Liberian attorney to work with it and have been helping to place US law fellows within it. We also supported the creation of the Sexual and Gender Based Violent Crimes Unit. Our Liberian staff has collaborated with Liberian organisations to provide regular training for magistrates, city solicitors, county attorneys and the police.

Progress has been made. In 2010 the MOJ finalised a code of conduct for prosecutors and fully complied with the UN Human Rights Council’s Universal Periodic Review process. It sponsored legislation to strengthen the rights of prison detainees, created a position for a dedicated juvenile justice attorney, and is actively leading taskforces to reduce pre-trial detention, implement probation programmes and strengthen juvenile justice.

The Carter Center has provided small grants and training to local civil society organisations (CSOs) in eight counties (Maryland, Grand Kru, River Gee, Sinoe, Grand Gedeh, Bong, Nimba and Lofa). They use drama, community forums, radio programming and music to ‘tell the story’ of the rule of law to rural Liberians. Civic educators focus on existing and new laws, including those on inheritance, rape, domestic violence, *Sassywood* (trial by ordeal), land disputes and bond and court fees. The CSOs comprise traditional, religious and women’s organisations. In 2010, roughly 56,000 people received direct civic education in 587 community visits.

In the early phases of the work, civic educators were being approached regularly to solve disputes for citizens who trusted community NGOs more than the formal and customary systems.

“Progress has been made. In 2010 the MOJ finalised a code of conduct for prosecutors and fully complied with the UN Human Rights Council’s Universal Periodic Review process. It sponsored legislation to strengthen the rights of prison detainees, created a position for a dedicated juvenile justice attorney, and is actively leading taskforces to reduce pre-trial detention, implement probation programmes and strengthen juvenile justice.

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In the early phases of the work, civic educators were being approached regularly to solve disputes for citizens who trusted community NGOs more than the formal and customary systems. In response, in 2007 the Carter Center and the Liberian Catholic Justice and Peace Commission (JPC) developed a Community Legal Advisor (CLA) programme that now provides 34 CLAs in six counties. CLAs are trained to guide local people through the formal, informal and traditional options for settling disputes. With support from USAID, they provide rural citizens with free information on their rights and the law; help people interact with government, courts and traditional authorities; mediate small-scale conflicts; and engage in advocacy around justice.

CLAs give individuals and communities the opportunity to see the law working in practice. They help to set standards for local justice provision, encouraging other justice providers, customary and statutory, to improve and to become more accountable. In 2010, CLAs opened 1,704 new cases and closed 1,562 – 72 per cent successfully – following review by Carter Center legal staff. In all, as of July 2011 over 4,400 cases had been opened since 2008.

**Strengthening community institutions**
Most Liberians still rely on traditional justice. But its structures have been weakened over time and by the war. A lack of resources and unclear mandates have undermined the ability of chiefs and elders to resolve local disputes. Some traditional practices are inconsistent with national laws and international standards. Trial by ordeal, in which guilt is determined or confession elicited through sometimes harmful practices informed by traditional beliefs, is one example. Certain approaches to rape, as mentioned earlier, are another.

Where there are conflicts between traditional practices and the law, the Carter Center’s approach is to explain the law and the reasoning behind it, and to facilitate a respectful discussion on the pros and cons of each approach. This enables problem solving and mutual understanding. Rural leaders often ask: if you take away our way of determining guilt and innocence, what will you replace it with? This is a very challenging question, where the idea of evidence-based due process is largely alien and the necessary tools, such as police and courts, may be inaccessible due to distance, cost, or mistrust. County Dispute Resolution Monitors have developed guidelines to work with chiefs when approaches to the law are in conflict (see BOX 6).

The Carter Center is helping to build the dispute resolution capacity of traditional leaders, women and youths at the national, county and district levels in a manner consistent with Liberian law. It has used dialogue and training to
introduce traditional leaders to new laws and dispute resolution approaches that promote inclusion. It also provides modest financial support.

The approach has been extremely effective in energising the country’s first line of justice providers so as to strengthen community and inter-communal problem-solving and healing, even as rural citizens wrestle with the challenges of land disputes, changing gender roles, and the legacy of the war. For example, following an outbreak of mass violence in Voinjama, Lofa County in February 2010 between youths of Lorma and Mandingo ethnicity, the National Traditional Council was able to bring together Mandingo and Lorma elders from the area and reach agreement on how to restore peace. In Bong County in December 2010, a village elder used the mediation skills he had learned through Carter Center training to resolve a 50-year-old land dispute between the Zaye, Queekon and Tonnie communities. In this case, which concerned approximately 500 acres of land, each party claimed that the other was ignoring an agreed traditional boundary and was growing crops on land they did not own. Following mediation, the disputants worked together to demarcate a new boundary, and agreed to share a common agricultural space.

**Linking formal and informal justice**

To help bring rural perspectives to policy reform processes, the Carter Center has facilitated meetings between CSO partners and justice officials, including the Minister of Justice. It has also helped analyse the legal framework governing rural areas and suggested reforms.

A national Access to Justice Conference in April 2010, co-hosted by the MOJ, MIA and the judiciary, examined the dual customary and statutory justice systems within which tribal courts under the executive branch coexist with the formal courts of the judiciary. This difficult but critical discussion is on-going within the Law Reform Commission and in the Committee on the Role of Non-Lawyers.

The Carter Center’s experience suggests a number of recommendations for policymakers in Liberia and other post-conflict environments.

First, focus on community-based legal empowerment, including educating local people about their legal rights and options and capacitating existing community structures. Community justice can be a locally legitimate and cost effective means of providing marginalised citizens with ownership of and access to justice. It is more effective to work with home-grown dispute resolution mechanisms accepted by communities than to create new ones. Timeliness is also an important factor. Building and embedding formal justice is a long-term endeavour, while societal divisions and fragility in the aftermath of war makes fast and functional conflict management a priority. Working toward accessible local justice can provide a tangible ‘peace dividend’ to neglected populations.
Second, support dialogue processes between the formal and traditional justice sectors to build synergies and a shared understanding of an agreed legal framework. Existing justice practices need to be harmonised with the country’s governance reform programme and international commitments. Most importantly, justice processes that are accepted and employed by local populations must be developed.

Third, promote civil society participation in and oversight of local judicial reform processes. The CLAs’ work shows that civil society groups are often trusted more than statutory or customary justice providers. CSOs are an important resource for policymakers fighting local level corruption. Civil society and community involvement will also help to build people’s trust in governance more broadly and to reduce the sense of exclusion that has been a root cause of conflict.

Pewee S. Flomoku has worked as senior project coordinator for the Carter Center’s Access to Justice project in Liberia since 2005. Previously, he worked for the UN Mission in Liberia (UNMIL) as part of its Demobilisation, Disarmament, Rehabilitation and Reintegration (DDRR) program, and with a variety of Liberian civil society organisations. He worked for the Associated Press and was awarded Liberian Photojournalist of the Year 2005 from the Press Union of Liberia. He is currently a student of conflict Transformation at the Kofi Annan institute of Peace and Conflict studies at the university of Liberia, a Draper Hills summer Fellow on Democracy and Development and the Rule of Law at the Stanford University, and a member of the Center for Global Nonkilling.

Lemuel Reeves is the senior legal associate for The Carter Center’s Access to Justice project in Liberia. Prior to joining the Center in 2008, Cllr. Reeves served as a judicial affairs officer with the UN Mission In Liberia (UNMIL). Cllr. Reeves has more than 20 years of experience as a law enforcement officer with the Liberian National Police. He rose through the ranks from a police recruit, eventually becoming chief of legal affairs of the police. He is a member of the Supreme Court Bar of Liberia, and a member of the Liberian National Bar Association.

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**BOX 6**

**Guidelines for Carter Center legal staff holding dialogue on customary practices in conflict with Statutory Law**

1. Don’t be judgmental about others’ beliefs
2. Inform people of the law
3. Explain the purpose and intent of the law to clearly identify why a particular customary practice might be in violation; discuss workable alternatives
4. Engage respectfully one-to-one to reinforce training
5. If asked to be involved in any way in illegal activity, politely decline and explain what the law says on this matter
6. In some witchcraft incidents, a defendant is being accused of a crime. Talk with the local leader about alternative ways of determining the defendant’s innocence or guilt
7. Consult colleagues if you have any questions
RECOMMENDED BOOKS ON INTERNATIONAL PEACEMAKING AND CONFLICT RESOLUTION


ONLINE RESOURCES for ONGOING SUPPORTS

At any time, you are welcome to email us at rjp@umn.edu and ask for help or for other sources of help. We want to keep serving you as long as possible!

Your first online source for help is the Center for Restorative Justice and Peacemaking at the University of Minnesota: http://www.cehd.umn.edu/ssw/rjp/

On our website we will always maintain a special Humphrey Peacebuilders page that will have lots of resources to help you. At the bottom of that web-page are the following links to other websites that specialize in international peacemaking:

A. RESTORATIVE JUSTICE FOCUS


European Forum for Restorative Justice. This Belgium-based center provides conferences, trainings and resources to promote restorative practices on all levels. http://www.euforumrj.org/home

Restorative Justice For All. The newest international resource for worldwide information about restorative justice, based in London. http://rj4all.info/


National Association for Community and Restorative Justice (NACRJ). Currently the premier organization providing a biannual conference in the United States. http://nacrj.org/
B. CONFLICT TRANSFORMATION FOCUS

Kroc Institute for International Peace Studies. At the University of Notre Dame, this institute is one of the world's leading centers for the study of the causes of violent conflict and strategies for sustainable peace.  http://kroc.nd.edu/

The Salam Institute for Peace and Justice. Formerly known as the Muslim Peace Network, this organization assists in resolving conflicts and advancing sustainable developments around the world, with special emphasis on peace between Muslim and non-Muslim groups.  http://salaminstitute.org/new/

The Peace and Collaborative Development Network. Click on Resource Guides for comprehensive listings of other organizations as well as articles on conflict resolution topics.  http://www.internationalpeaceandconflict.org/


The International Center for Transitional Justice. ICTJ works to help societies in transition address legacies of massive human rights violations and build civic trust in state institutions as protectors of human rights.  https://www.ictj.org/


International Institute for Conflict Prevention and Resolution. Serving ADR (Alternative Dispute Resolution) trailblazers, including executives, lawyers, government officials, retired judges, highly-experienced neutrals, and leading academics.  http://www.cpradr.org/


Peacebuilding and Development Institute. Based in Sri Lanka, South Asia focused training helps practitioners and academics to look at the much needed nexus between development, sustainability and peacebuilding.  http://www.pdisl.org/

West Africa Network for Peacebuilding (WANEP). A leading regional peacebuilding organization founded in 1998 in response to civil wars that plagued West Africa in the 1990s. It provides professional courses in conflict prevention and peacebuilding to governments, businesses, and practitioners throughout the sub-region and beyond.  www.wanep.org
### Restorative Justice
- Addressing historical and ongoing harms against indigenous people
- Community-based restorative justice
- National restoration processes (addressing historical structural harm)
- Prison system reform

### Nonviolent Social Change
- Active nonviolence
- Community organizing, mobilization or social action/movements
- Issue-based educational campaigns
- Media/journalism/writing
- Minority and marginalized empowerment and civil rights advocacy

### Law: Advocacy and Solidarity
- Family law and domestic violence protection
- Human rights law
- Immigration law, immigrant services and education
- Indigenous cultural preservation, solidarity and rights
- International law and policy work
- Labor and employment law/protection
- Land issues
- Migrant justice, migration and human trafficking
- Work with youth: Child protection, rights, services

### Dialogue / Conflict Resolution Strategies
- Arts-based approaches to social transformation
- Conflict monitoring and early warning
- Cross-cultural contact programs
- Inter-faith, inter-ethnic, and intercultural dialogue
- Language interpreting or teaching
- Local peacebuilding institutes and training
- Mediation or dispute settlement
- Reconciliation
- Violence prevention or resolution

### Dealing with Transnational and Global Threats
- Corruption and organized crime
- Cultural and structural violence
- Economic and social injustice
- Environmental degradation and climate change
- Gender exclusion and gender-based violence
- Genocide and mass violence
- Human rights violations
- Human trafficking
- Imperial domination
- Nuclear and small arms proliferation
- Poverty, hunger and homelessness
- Terrorism
- War

### Education
- Adult and civic education
- Applying gender lenses to peace and conflict
- Building peaceable schools
- Educational reform initiatives
- Investigating cultural and structural violence
- Leadership development and training among historically disadvantaged groups
- Service learning
- University-based peace studies/peace education/peace research
- Vocational schools

### Humanitarian Action
- Crisis health care and social services
- Human rights protection and monitoring
- Humanitarian advocacy and law
- Humanitarian emergency response
- Information management for relief operations
- Public health work related to structural and physical violence

### Development
- Economic development
- Gender equality work
- Housing and urban development/redevelopment
- Human and social development
- Local and international development
- Microfinance and small business development
- Strengthening democratic institutions and participation
- Sustainable development, sustainable agriculture

### Government and Multilateral Efforts
- Civil-military relations
- Demobilization and disarmament
- Diplomacy
- Intergovernmental organizations
- Peace processes
- Policy analysis and implementation
- Post-conflict reconstruction

### Trauma Healing
- Child soldier reintegration
- Collective community healing
- Refugee resettlement and services
- Trauma therapy and counseling/social support
- Victim support and reparations

### Transitional Justice
- International Criminal Court or tribunals
- Justice to address mass atrocity and human rights
- National and local justice processes
Jennifer Blevins is the Research and Development Assistant for the Center for Restorative Justice and Peacemaking and a PhD candidate at the University of Minnesota, School of Social Work. Blevins has an MSW from the University of Minnesota with a concentration in community practice. Blevins has research interests in the areas of multiculturalism, the intersection of restorative justice and Islam, violence prevention, restorative dialogue and peace building. As an educator, Blevins has taught classes in rural and urban community organizing and development, group facilitation, restorative justice, conflict management, and working with new immigrant populations. Blevins has 25 years of experience working with communities in culturally specific and multicultural settings to identify solutions to community problems, implement action plans and advocate for public policy changes that increase individual and community wellbeing. Her experience includes working with Anishinaabe, Somali, Oromo, Hmong, Mexican, and Ecuadorian community groups to implement multi-year projects. Throughout her tenure as a community-based practitioner, Blevins has utilized action research, community-based participatory research, asset mapping and focus groups as part of the community engagement and systems change process. Email: blevi013@umn.edu

Justice Janine P. Geske currently serves as a Distinguished Professor of Law at Marquette University Law School and Director of the Law School's Restorative Justice Initiative. She served as interim dean of Marquette Law School from July 2002 to July 2003 and as interim Milwaukee County Executive from February 28 to May 6, 2002. She previously served on the Wisconsin Supreme Court from 1993-1998. From 1981-1993, she was a Milwaukee County circuit court judge. Prior to becoming a judge, she served as chief staff attorney for the Legal Aid Society of Milwaukee and then as clinical director and assistant professor of law at Marquette University.

She served as the Association of Marquette University Women Chair in Humanistic Studies, 2000 - 2001 and served as a member of the faculty of the National Judicial College in Reno, Nevada for over ten years.

In 2009, she received the Woman of Faith Award from the Sisters of the Divine Savior, the F.B.I. Director’s Community Award and a Wisconsin State Bar Fellows Award in recognition for contributions to the Bar and the ideals of the American Bar Foundation. In 2008, she was inducted into the Wisconsin Academy of Science, Arts and Letters. In 2007, she was awarded the 2007 Thurgood Marshall College Fund Legacy Award, the 2007 American Inns of Court 7th Circuit Professionalism Award, the 2007 U.S. Postal Service Government Service/Law Award, the St. Norbert College Ambassador of Peace Award, the SET Ministry Transformation Award, an honorary member of Phi Beta Kappa. In 2006, Justice Geske was awarded "The Woman of the Word Award from the Milwaukee Cathedral Place (a women and children's homeless shelter), The "Difference Maker Award" from the American Bar Association General Practice, Solo and Small Firm Division.

In 2003, Marion College in Fond du Lac, Wisconsin awarded Justice Geske an honorary doctor of law degree and Marquette University High School awarded her the Spirit of St. Ignatius Award. In 2002 the Milwaukee Archdiocese recognized her with the Vatican II Award in communication. In 1998, she received an honorary Doctor of Law degree from Marquette University and an honorary doctorate of humanities from Mount Mary College in Milwaukee. In that same year, the Wisconsin Newspaper Association selected her as the Newsmaker of the Year and the Milwaukee Press Club honored her by choosing her as the Milwaukee Headliner of the Year. In both 1994 and 2002, the Milwaukee Bar honored Justice Geske with its "Lawyer of the Year" award. Justice Geske was recognized by
Marquette University as the 1993 Law School Alumnae of the Year and as the 1994 all university Alumnae of the Year.  Email: janine.geske@marquette.edu

Jean Greenwood, M.Div. is a consultant, educator/trainer, facilitator/mediator, speaker, and writer cultivating the development of vibrant people and communities. Her specialties include conflict transformation, the art of dialogue, leadership development, community-building, diversity, restorative justice, and creativity. Jean serves as community faculty at Hamline University, teaching “Restorative Justice,” and “Leadership Skills for Organizational Conflict,” United Theological Seminary, teaching “Conflict & the Congregation: Restoration & Resilience,” and the University of Minnesota, teaching “Conflict Resolution & Mediation.” She has been published in The Mediation Quarterly, VOMA Quarterly, The Clergy Journal, Alban Institute’s Congregations, Jossey Bass’ The Handbook For Victim Offender Mediation, and U.S. Department of Justice monographs.

Jean is also a Presbyterian minister, a mediator for the MN Department of Education, mediating cases in Special Education and Vocational Rehabilitation, a Yukon-trained circle keeper, and a researcher, having conducted national research on victim offender dialogue. She has worked with diverse organizations, as well as individuals and families, including the design and implementation of a transformative process for a public housing hi-rise, a church dealing with clergy sexual misconduct, nonprofit organizations exploring merger, and a family of 8 adult siblings in conflict. Her trainings include “Restorative Resolution: Learning to Talk About Tough Issues” and “I AM THE ONE WHO WILL MAKE THE PEACE.” She is currently writing a book on the use of circle dialogue within congregations. Jean was the recipient of a Bush Leadership Grant to study leadership in the context of conflict, change, and diversity. She graduated Phi Beta Kappa from the University of MN with a BS in English Education, and received a Masters of Divinity from United Theological Seminary. Jean is the mother of 2, an avid bicyclist and dancer, lover of nature and the arts. Email: green104@umn.edu

Ted Lewis is the Director of Communications for the Center for Restorative Justice and Peacemaking at the University of Minnesota. Since 1996 he has done work as a restorative justice practitioner, trainer, program manager, and consultant, largely supporting community-based non-profits that have partnered with government agencies. He has also provided mediation and reconciliation services to church communities. Ted currently teaches a Restorative Justice course at University of Minnesota Duluth. Email: tedlewis76@gmail.com
**Kristi Rudelius-Palmer** is Co-Director of the University of Minnesota’s Human Rights Center and Director of the Law School’s Humphrey Fellowship Program. She is an adjunct professor at the University of Minnesota Law School and serves as the professional and academic advisor for the Fulbright Humphrey Law & Human Rights Fellows cohort each year. She also teaches courses on human rights education and the integration of human rights into organizational leadership through the College of Education and Human Development. Rudelius-Palmer obtained her B.A. from Lawrence University and her M.A. in comparative international development education from the University of Minnesota.

Rudelius-Palmer has served as co-director of the Human Rights Center since 1989. With more than 20 years of experience in the field of Human Rights Education, she has designed and taught courses at the university, primary and secondary school, and community levels. Rudelius-Palmer has collaborated with hundreds of human rights activists and educators, working to create innovative models of human rights teaching and training in classrooms and communities in diverse settings, including Canada, Egypt, Mexico, Mongolia, Morocco, Russia, and South Africa. She also edits and publishes the Human Rights Center’s Human Rights Education Topic Book Series and has written numerous articles on human rights education and training.  
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**Dr. Mark Umbreit** is a Professor and founding Director of the Center for Restorative Justice & Peacemaking at the University of Minnesota, School of Social Work. He serves as a Visiting Professor at the Marquette University Law School in Milwaukee. Dr. Umbreit has also served as a Fellow of the International Centre for Healing and the Law, and a Fellow of the Center for Contemplative Practice in Society. He is an internationally recognized practitioner and scholar with more than 40 years of experience as a mediator, peacemaker, trainer, teacher, researcher, and author of eight books and more than 200 other publications in the fields of restorative justice, mediation, spirituality, forgiveness, and peacemaking. Dr. Umbreit has conducted training seminars and lectures throughout the world, in Asia, Africa, Europe, the Mideast, and North and South America. Mark has been a consultant and trainer for the U.S. Department of Justice for the past 30 years. Dr. Umbreit also serves on the faculty of the Center for Spirituality & Healing in the Academic Health Center at the University of Minnesota, teaching courses on Peacemaking & Spirituality, and Forgiveness & Healing.

As a practitioner, he facilitates peace-building circles in the community between members of diverse cultures and restorative dialogues between family survivors of homicide and the offender in their quest for healing and strength. Mark initiated the first Palestinian-Jewish dialogue group in the Minneapolis/St. Paul community, as well as a Muslim Restorative Justice Engagement Project in the Twin Cities and beyond. He is working with colleagues in Northern Ireland, Italy, Liberia, and Israel/Palestine on peace building initiatives. He has helped establish restorative justice programs in hundreds of communities, including in nearly every state of the U.S. and numerous other countries. Dr. Umbreit’s multi-site and multi-national research has contributed significantly to restorative justice policy development in the U.S. and other countries, as well as providing resource materials and guidance to practitioners. Mark is currently working as a Senior International Consultant with the United Nations Development Program and the Ministry of Justice in Turkey to support their legislative efforts to implement victim offender mediation throughout the country. At the National Restorative Justice Conference in June of 2013 Dr. Umbreit was elected the founding President of the new National Association for Community and Restorative Justice. **Email: mumbreit@umn.edu**