Restorative Practices and the Long View:

The Promise of a More Equitable Society

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Abstract

My graduate study of restorative practices corresponds with a period of personal growth in my work life. I will use my personal experience teaching at a self-directed learning center for teens and the IIRP as a springboard for discussing some of the broader implications I see for restorative practices. I will look at the notion of the individual in society, and explore both the pitfalls of individualism and the benefits when people manage to find and express their authentic individual voice. Then I will discuss how restorative practices can help communities come together to recognize and uphold shared values. Finally, I will widen the lens and explore the implications for restorative practices of creating more equitable societies, where power is shared and decentralized.

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"The ethical progress of our race, viewed in its broad lines, appears as a gradual extension of the

mutual-aid principles from the tribe to always larger and larger agglomerations, so as to finally

embrace one day the whole of mankind, without respect to its divers creeds, languages, and

races."

Peter Kropotkin (1902, Chapter 7, para. 1)

2011

2011 was a transitional year: for me personally, for our country and the world, and also

for restorative practices and the IIRP. As the year began, I watched first Tunisia and Egypt erupt,

and the Arab spring, followed eventually by the Occupy Wall Street movement which spread like

a virus across the US and then around the world. People were beginning to challenge publicly

and in great numbers the hierarchical authority structures that favored privileged wealth and

were causing so much damage to families, communities and the biosphere.

Seemingly at once, and out of the blue, these spontaneous movements called for more

equitable distributions of power. At the same time, these movements, and others that would

follow – such as Occupy Sandy, in which people directly organized aid to areas hardest hit by the

hurricane while government and big NGOs failed to deliver – attempted to demonstrate what is

increasingly known as "horizontalism," an idea that power ought to be decentralized and that

everyone who is willing can step up and become a leader. The Occupy movement did not simply

call for change; instead, it sought to amplify a quotation attributed to Mahatma Gandi, "Be the change that you wish to see in the world."

Increasingly that idea has served as a beacon for me. Starting in 2011, I took a deeper plunge into my work with the International Institute for Restorative Practices. I proposed to start a blog that would become what is now known as Restorative Works News, in which I get to write and share what is happening in the field of restorative practices around the world. I also began my graduate studies in the IIRP Graduate School, and I found myself being challenged to grow and thereby adopt a leadership role in my work and community. I found in my IIRP work and studies that the type of leadership I was being called to develop was the kind that invites each of us to step up and "be the change."

On a parallel track, 2011 is also the year I resumed my teaching career, only this time, instead of working in a school where students were compelled to attend and learn, I began working at an institution, North Star Self-Directed Learning for Teens, that is revolutionizing education by empowering teens to actually drop out of formal schools and develop their own educational paths closer to their heart's desire. At every opportunity I would attempt to apply what I was learning about restorative practices in my graduate study with students, colleagues and parents of North Star teens. But the uniquely libertarian environment of North Star, unlike any school I knew of, was forcing me to consider what it would mean to eliminate the coercive aspect of power and truly engage with people, even teens, more as equals. What did authority mean in that context? If this can work in a small organization of about 60 teens plus as many adult staff and volunteers, what would the implications be for society at large if people were free to shape their own lives and learning?

I am reminded of the idealism and breadth of the call of the French Revolution – "liberty, equality, fraternity" – with its three interlocking themes. Liberty refers to the freedom of the individual; fraternity to individuals' care and concern for one another in society; and equality to the attempt to balance these sometimes competing interests. In this paper, I will explore how restorative practices can help provide the means for the further development of these revolutionary aspirations:

1. Restorative practices can help individuals realize the value of their personal voice and being.

2. Restorative practices can help individuals harmonize with one another to fulfill the needs of the greater community.

3. Restorative practices can help society to move toward less hierarchical and more horizontally-oriented power structures, providing means for local communities of all shapes and sizes to become more democratic, empowered, responsible and accountable.

The Individual

There's no denying that we live in an age of individuality. Adam Smith (1776), the godfather of capitalism, writing from England during the very year the American Declaration of Independence was written, heralded the age:

> Every individual is continually exerting himself to find out the most advantageous employment for whatever capital he can command. It is his own advantage, indeed, and not that of the society, which he has in view. But the study of his own advantage naturally, or rather necessarily, leads him to prefer that employment which is most advantageous to the society. (Chapter 2, para. 4)

Smith's philosophy is universally understood to underpin capitalism. But nearly two hundred and forty years later, this philosophy also strikes the ear as a rationalization. The idea that pursuit of individual interests leads to the greatest good for all is patently false. Even back in the 19th Century Smith's philosophy supported a system that fostered extreme disparities of wealth. The robber barons aggregated huge fortunes and justified their gains by also applying Darwin's biological notion of "survival of the fittest" to the social realm. It may have added further justification to their approach, but current discoveries in biology point out that cooperation may be equally, if not more, important to evolution (Panshin, 2011). Our economic system has yet to catch up with this fact.

The 20th century went another step farther and extended the importance of being an individual to every man and woman. However, the construct that each of us functions best as a self-serving individual partially backfired when it was used subversively by commercial and political powers to exert control. As shown in the BBC documentary *The Century of the Self* (BBC, 2002), the creation of the public relations industry in the early decades of the century borrowed heavily from Sigmund Freud, whose psychology included the idea that each of us are unique individuals with our own unconscious desires. Advertisers and marketers used that knowledge to manipulate. They first turned the populace primarily into consumers of goods. Later, using the technique of the focus group, they unearthed the hidden desires of people to create unique products for them and eventually even political candidates made to order. People may have thought they were free to pursue and satisfy their own perceived needs, but collectively they were making choices inculcated by the media and culture they consumed.

Aside from this sinister aspect of mass culture, during those 200 years since America became a country, there were also many positive trends that built upon the sense that individuals should be valued and empowered. The Bill of Rights, the first 10 amendments to the U.S. Constitution, sought to restrict the power of the state as mandated by the will of the majority. The Bill of Rights empowered individuals with rights of freedom of speech, press, assembly, religion and much more. In time these individual civil rights were expanded to include slaves who were freed. Eventually non-landowners, blacks and women would gain suffrage; racial segregation was outlawed. The battle for civil rights continues to this day as individuals seek to be treated equally regardless of age, race, discrimination, creed, sexual orientation and gender identity.

Many who see the injustices of racial discrimination continuing to play out in schools and the juvenile justice system have looked to restorative practices as a means to achieve greater equity. Part of what makes restorative practices so powerful in this area is that it gives *all* the people involved a voice in how they are treated. Restorative practices honor each individual to have a say in not only how they are being impacted, but also how they would like to see things go in the future. Youth who respond to restorative practices, in circles and in discipline situations, often say they valued that their voices were heard.

Similarly, "fair process" (Kim & Mauborgne, 1997), as applied in the business world and other types of organizations, fosters more equitable environments by allowing everyone input about situations that affect them, even if they don't have the final say in what happens. Likewise, restorative conferences in the justice field and family group conferences in social work provide means for the community of people most affected by a crime or a family crisis to express the impact on them and offer ideas about how to move forward. Authority structures that respect

everyone's voice, regardless of one's relative place in the hierarchy, tend to feel more equitable for all involved (Kim & Mauborgne, 1997).

But let's also look at the question of individuality and equitability from a very different angle and through a very different lens. North Star Self-Directed Learning for Teens gives students voice in their lives in a very different and dramatic way. It tells students, "If you don't like school, today can be your last day." That position of total personal freedom to start living their lives and approaching learning as they and their families sees fit for them is a radical example of individualism. Homeschooling laws, which vary from state to state, allow children and families to craft educational plans for themselves. North Star seeks to serve both families and teens who are veterans of that lifestyle, but somewhat more importantly, to support those teens who are unhappy and suffering in school but wouldn't otherwise have thought to jump off the train and follow their own learning path. In light of the new regime of the increasing reliance upon standardized testing and a nationwide Common Core curriculum, the trend to opt out of compulsory education has to be seen as a radical stance of the individual against the might of the state.

As a teacher and advisor at North Star two days a week, I have found that restorative practices fit hand in glove with my work. I have used North Star for all my practicum activities throughout my graduate degree. A big part of my study has ultimately been to label and categorize what North Star was already doing as restorative practices. Additionally, I've refrained from dictating but instead engaged *with* youth and families around educational goals and plans. I've aimed to respect students and families and honor their voice. As an organization, my colleagues and I find that students and parents recognize and appreciate that they are being

listened to and valued in a way that never happened for them in other educational settings, sometimes to their great detriment.

Yet, ironically, while the goal has been to help students and families live and learn in a way that felt most meaningful and useful to them, one can't get away from the fact that any time people come together to share space, time and other jointly held resources, their individual priorities will have to contend with others' own priorities, as well as the wants, needs and demands of the group as a whole. But here too restorative practices has a tremendous – even greater – role to play.

Community

Einstein (1949) said that "the dependence of the individual upon society is a fact of nature..." (para. 10). The ongoing struggle to balance the requirements and wants of the individual with the larger context of the community is as old as the human race. In the family, the most basic unit includes the mother, father and child, from which a natural authority structure emerges. Children cannot do anything they want any more than individuals within an extended family, tribe, village, city or state can. If we could all act any way we pleased without anyone ever getting hurt or treated unfairly, there would be no need for laws and rulers, and restorative practices would be irrelevant.

Whether it's due to human nature generally, or is simply due to our species' current state of yet-to-be-fully-evolved-humans (Panshin, 1992), most all our human groupings rely upon some forms of authority and external control for social regulation. Even if we were to drop all forms of hierarchical social control – and it's not clear how that could happen spontaneously –

we would still need some way to regulate out-of-bounds behavior for the sake of individuals'
safety and the integrity of future generations.

Still, where to draw the line between how much control a parent, teacher, priest, police
officer or judge needs to exert, and how much such figures should instead lead by example and
allow others to find their way themselves, is a subject open to much debate. Anthropologists and
historians demonstrate that around the world, and throughout time, the amount of social control
of groupings varies tremendously from culture to culture (Graeber, 2011).

Let's again take a look at North Star as an example. Here I discovered that students and
parents, upon enrolling, sign a basic community agreement with several rules, including
prohibitions of drug and alcohol use and possession and violence towards people and property. A
more general catch-all simply reads, "I won't behave in a way that would make others not want
to be here." Often staff discover that someone has done something to violate this code, but just as
frequently students bring concerns to staff (it is hard to get away from adults serving an authority
role, even in a place a libertarian as North Star). The upshot always involves talking it out. Most
of the time staff talk to students and then bring students together to clear up misunderstandings,
have students hear how their behavior impacts one another, make amends and provide assurances
that things will be different in the future. Occasionally, something seems so egregious that a
student is sent home until a parent can be notified and a meeting with staff scheduled as an
additional step. But again, this is not a punitive process, but simply a practical matter where
conditions need to be restored, with the knowledge of parents, and assurances made that the
behavior won't happen again.

This process – a respectful and restorative one – existed before I began working at North Star, though I have worked to reinforce it. I've argued that as a staff we need to be consistent about sending students home and engaging parents even when we fear there could be repercussions beyond our control by certain parents. (In the two cases I can think of where there was hesitation to bring in parents for this reason, both incidents resulted in students being held accountable and returning to North Star.) Further, I am always raising the question of whether more people – other affected students and supporters – should be brought into the various discussions we facilitate to reach the most satisfactory resolution.

Beyond that, however, I have pushed for our weekly half-hour community meeting with students to be more engaging, involve more community-building activities and provide a process for responding to community-wide problems. When stealing occurred, for instance, and the thief (or thieves) remained unknown, I suggested we use a talking piece in a circle to give people a chance to respond to the fact of these thefts. As a result, students affirmed that they didn't want North Star to be a place where people had to fear that their things would be stolen. Processes like this grant a form of subtle authority to an entire community to help establish and reinforce norms for the group.

Lest one imagine that this is only possible in a controlled environment like a school, Braithwaite and Gohar (2014) argue that in the borderlands of Pakistan and Afghanistan, where state authority is weak, traditional resolution processes akin to restorative practices can help maintain law and order and prevent tyrannical groups like the Taliban or Al-Qaeda from imposing authority. Absent strong state control, communities would be empowered and required to set and maintain their own appropriate boundaries. Anarchists of the left and right would most

likely agree that people do have the inherent sense and goodness to arrange on their own for the betterment of their communities if only they were permitted.

Something unique and special can happen when people on an equal basis come together to share their perspectives on an incident. A moment often comes when people make a shift in thinking that is palpable. David Moore (2000) writes:

> After observing many [restorative] conferences, after audio-recording and analyzing transcripts, comparing filmed role-played conferences with the 'real thing', and interviewing observers, convenors and participants at length, a key feature of this emotional turning point in conferences was clear. It was not an experience confined to any one individual. Rather, all of those present experienced something profound. They experienced a moment of "collective vulnerability", as a Canadian colleague described it in a training workshop. (p. 78)

I and other colleagues at North Star observed that "collective vulnerability" in the circle I organized around the stealing. I was so struck when one of the newest members of North Star talked about how things like theft and disrespect for people and property characterized the school she had just left. She didn't think North Star was like that, and she said didn't want it to be. What a risk this seemingly shy, new member took with that statement! Yet her words were welcomed and absorbed by the group. Although we were never able to confirm our suspicions about who might have been responsible for the thefts, staff left with a sense that not only adults but also students had affirmed a shared set of positive norms. "Collective vulnerability" was also apropos in that as staff we admitted we did not have the power to find out what really happened; we weren't even using the circle as an attempt to investigate. I wrote up a summary of the circle and

we took the added step of circulating that to parents, students who hadn't attended the circle and extended staff so all were aware of the problem and the response of the community.

In closing this section, I want to venture a hypothesis that circles not only help to establish norms of behavior, but that they also provide an ethical basis for a group to move forward. We live in a time when the traditional religious bases of morality have been rejected by many people. However, restorative practices help people to see situations from a range of perspectives. My hypothesis is that each person, balancing and weighing these perspectives, moves toward a more comprehensive view of the whole. The result is a moral hierarchy, not of absolute right and wrong, but of more holistic thinking that can be of greater benefit to individuals and the group. More thought and research is required for me to fully understand this theme. But I feel compelled to mention it here, as I think it fits in with the promise of "brotherhood" as well as "sisterhood" and compassionate mutual understanding of all humanity. As Russell Brand (2015) had it in a recent popular video podcast, "For me, the fuel of change has got to be genuine compassion and a legitimate hope that we can come together collectively. We're about people coming together to make change."

Horizontalism

My role as a facilitator (as opposed to being a problem solver), has allowed me to engage others in dialogue that encourages stories about how people have arrived at a particular point and then to engage with them in a way that assists all involved to come to a shared understanding and, importantly, to then work out what will help them go forward. Talking about the world we share with others is the foundation stone upon which civil societies are built.

- Terry O'Connell (2008)

At present, the "world we share," to use Terry O'Connell's phrase, is a minefield. John Braithwaite (2000) points out that "The lived experience of modern democracy is alienation" (p. 31). Alternatively, the IIRP Graduate School encapsulates its mission as "restoring community in a disconnected world," which implies that because people are disconnected, restorative practices can aid the planet's return to wholeness by building coherent community. As Braithwaite wondered, "Might it be that restorative practices could have a significant role in [the] rescue mission [to save democracy]?" (p. 32).

I hear the word "democracy" used in two very different ways. The first way is the cynical way, relating to how democracy (or republicanism?) has been corrupted and undermined by the power of money to buy representation. The vast majority of the people – the 99 percent – are left with very little say about state, national and international affairs that impact them. Not only in the U.S., but throughout the world, democratic governments are increasingly democratic in name only.

In a more idealistic sense, however, democracy represents the belief that people do have something to offer to collective decision-making, and that legitimate processes can be developed and employed to allow this to happen. In this final section I will focus on this second definition and look at the potential for restorative practices to begin to establish new modes of authority and decision-making to transform society.

A wide variety of ideas suggest various ways in which this might happen. The terms deliberative and participatory democracy refer to the possibility that new legislative processes could allow for more thoughtful, inclusive decision-making. Direct democracy, as opposed to

representative democracy, already exists in limited form in places where citizens may through

petitioning add legislative initiatives to the ballot and subject them to a popular vote. Open

source governance advocates in a broad way that the principles of open-source software creation

be applied to legislative practices more broadly.

Could current governments be changed to allow significantly greater democratic

participation, and if so, how? Howard Zinn (1990) suggests, "To make national decisions directly

is not workable, but it is conceivable that a network of direct democracy groups could register

their opinions in a way that would result in some national consensus" (p. 256). The use of social

media to help organize protests as witnessed in Egypt's Tahrir Square, and videos of police

uploaded to YouTube showing examples of police brutality, demonstrate the promise of the

internet to help the democratizing effort, though many details still remain to be worked out.

Braithwaite (2000) suggests that more comprehensive democratic processes will come

about as part of an evolutionary process. While modern society may currently be too complex to

allow for direct democracy on all issues, argues Braithwaite, more people should be able to have

more say in more areas that affect them. He says that participation in a restorative conference, a

family group conference, resolution of a school bullying incident or participation in an exit

interview at a nursing home as an aid to responsive regulation – all processes that exemplify

participatory governance – could each spark someone's interest to become more politically

active. Braithwaite writes, "Once citizens learn to be actively responsible, as opposed to learning

to rely totally on protection by a state that enforces passive responsibility, they will become

active in social movement politics" (p. 38).

The Occupy Wall Street movement, because of its high visibility and rapid spread in the initial months that it was most active, made a number of arguments about equitability and what it meant to be an active rather than passive participant in society. First and foremost, Occupy Wall Street shined a spotlight on the unequal distribution of wealth in our society. As Proudhon (1876), the first person to call himself an anarchist, pointed out, "The liberty and security of the rich do not suffer from the liberty and security of the poor... . The rich man's right of property, on the contrary, has to be continually defended against the poor man's desire for property. What a contradiction!" (p. 48). With its slogan naming those involved in the movement the 99%, Occupy Wall Street made it possible to easily identify and talk about the many problems associated with 1% of the population having so much more than the rest. The movement made the argument that wealth, concentrated in so few hands, had corrupted the entire democratic process. It favored the wealthy to the increasing deficit of not only the poor, but also the assaulted middle classes.

In addition to what it said, Occupy Wall Street also argued for change in terms of what it did and how it did it. Anthropologist David Graeber (2013), a long-time anarchist who helped to shape the Occupy movement in the months before it became public, pointed out:

> For decades, the anarchist movement had been putting much of our creative energy into developing forms of egalitarian political process that actually work; forms of direct democracy that actually could operate within self-governing communities outside of any state. The whole process was based on a kind of faith that freedom is contagious. We all knew that it was practically impossible to demonstrate to the average American that a truly democratic society was possible through rhetoric. But it was possible to show them. The experience of watching a group of a thousand, or two thousand, people making a

collective decision without a leadership structure, motivated only by principle and

solidarity, can change one's most fundamental assumptions about what politics, or for

that matter, human life, could actually be like. (p. 89)

There is consonance between consensus decision-making and what happens for people in

restorative circles, when people after listening to one another speak arrive at reconciliation and a

plan to move forward.[1]

I find participatory decision-making manifesting in my own life and community. I am a

member of a recently-formed Ad-hoc Committee on Education for my town of Cummington,

Massachusetts. We are presently gathering information and engaging our community in an effort

to come to some kind of consensus about how to respond to our local elementary school being

closed as of the end of this school year. I was recruited to facilitate two town forums on the

subject. The structure we adopted involved beginning with a short presentation to share our

findings, entertaining questions from the audience with different committee members answering

as appropriate, and then using essentially a circle go-around format to let everyone in the

audience share with us the direction they think the town should take and raise any other

questions for further consideration. As a committee, we're making up the process as we go. But

we are self-correcting and aim to upgrade the process by discussing our actions and intentions.

Our mutual goal is to function as a facilitating body to help the town make as inclusive and

informed a decision as possible.

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[1] The consonance is more than simply theoretical. Kay Pranis, the pioneer and expert on
peacebuilding circles, for one, visited Occupy Wall Street at Zucotti Park in New York City to
provide training for protesters (Geras, 2012).

Occupy Wall Street also demonstrated what a so-called leaderless mass movement might look like. In reality there were leaders, but they did not see themselves as part of a hierarchy; they were self-appointed and they stepped forward based upon a perceived need and their inherent ability to fulfill that need. I find this aspect of the Occupy movement completely consonant with my developing understanding of restorative practices as a leadership model. In my work I strive to learn new skills, develop my understanding and also to step up and take greater responsibility to help influence the functioning of the organizations I work in. Restorative practices, especially when embraced by organizational leaders, encourage all stakeholders to provide input and exert influence.

In *Democracy at Work*, economist Richard Wolff (2012) points out that a society that was serious about democracy would pay attention to the place where people spend their most time productive daytime hours: the workplace. Wolff favors worker-owned cooperatives as an economic model to make this possible, but this is just one possibility among many. Wolff (2015) himself points out that the history of socialism is a long-term effort to move from capitalist or state control of the means of production to one where workers control the means of production themselves though different socialists envision different means for workers to gain and maintain control.

At North Star, our director has the final say, but he creates a collegial and participatory atmosphere among staff where everyone's opinion is valued and considered when making decisions. I'd also like to share one way the respect cultivated among staff gets extended to students and families, as well. A most treasured part of the North Star calendar consists of end-of-year family meetings. All core staff who worked with a student meet with that student and

their parents for half an hour to reflect on the year and the future. We use a sequential go-around, beginning with the teen, then the teen's parents, followed by all the staff who are present. I can't imagine another education setting where so many adults would gather for the benefit of one teen, primarily to reflect back and celebrate the year. We don't candy coat it when there were also challenges during the year, but the focus is on highlights and strengths.

One parent, who had just attended their 12-year-old child's first meeting after her first year of North Star, said, "My husband said, 'You mean our daughter comes with us?' That would have never happened at her old school. You all said how brave you thought she was. We kept talking about it after we left."

I consider these meetings a wonder and often wish they could be recorded for others to see. They are almost always constructive, even when a parent or student brings up unanticipated concerns. Everyone in the circle gains new perspectives – parents, teens and staff. By including numerous voices and an effective framework for talking and listening, a meaningful experience takes place that is so different from how teachers, students and families normally get to interact. Similar meetings, though with fewer staff, take place early in the year and mid-year, as well. This builds communication and feedback with parents and teens into the educational structure. These meetings also help ensure that self-directed learning blooms in a setting of care and respect for teens and their families.

Mutual respect, care and dignity are essential if we are to truly create a more equitable for society. Dorothy Day (1951), co-founder of the Catholic Worker, which "considered itself a Christian anarchist movement" (Klejment, A., 1988, as cited in Catholic Worker Movement, n. d.), said:

"Once when I was talking to Peter Maurin about a man who lived with us who was often

drunk and disorderly and neglected his family and I was either wondering what to do or

looking for consolation in discouragement, Peter said, 'We must make the kind of society

where it is easier for people to be good.' (para. 5)

Restorative practices are already helping to make that kind of society.

Conclusion

While 2011 was an important year for me, and for the world, it was also the moment that

the IIRP, after nearly a decade of work, became an accredited graduate school. In fact it was the

first, and still the only, graduate school wholly dedicated to the field of restorative practices. This

had added significance for me, as my father, Ted Wachtel, founded the IIRP, and both he and my

mother, Susan Wachtel, labored most of their adult lives to develop first CSF Buxmont and then

the IIRP. Their goal was to have an impact on the world, and to make a fundamental change in

the way authority functions.

As I come to the end of my graduate studies, I find myself aspiring to help build a solid

foundation under Ted and Sue's dream, and at the same time, cultivate my own dream for where

restorative practices might be leading us. On the one hand, I believed that people should be free

and supported to follow their own inner lights – not only in education, but also in their work and

play. At the same time, while I've been dismayed by the political, economic and environmental

challenges straining the human race and the planet, I still cultivate a flame of hope that if only

each of us can take greater responsibility, individually and collectively, for the entire human

community and the natural world we inhabit, our problems are surmountable.

In my attempt in this paper to envision and outline a future in which restorative practices become absorbed more completely by the culture, I see a progression in stages from vertical, hierarchical institutions to more horizontal, decentralized authority structures. The long path begins by people today working to live the values of participatory decision-making, equality, active leadership and respect for one another.

Whether implemented in a free and loose organization like North Star, or in more traditionally hierarchical institutions like schools and workplaces, restorative practices establish a basis of respect, communication and inclusiveness that assist a more truly democratic society to take root.

The road is a long one. Yet restorative practices, taken to their logical extension, will help fulfill the rallying cry of the French Revolution – for greater liberty, equality and brotherhood – that continues to echo in our collective memory.

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