

## **Peace Circle in an Indigenous Community in Costa Rica**

Conte Burica is one of the indigenous territories of Costa Rica most difficult to access. This is due to the poor road conditions, only accessible during the dry seasons by four-wheel drive vehicle, and to the distance that separates it from more greatly populated areas. Its location, in the extreme south of the country – on a narrow point adjacent to Panama – makes it easier to access by ocean or through the neighbouring country. The steep and extreme geography of tall mountains and cliffs that drop down to the ocean and crumble on extensive and hidden beaches, makes access to services more difficult and complicated; without exception the administration of justice. The situation is aggravated by the fact that the population has very few resources, and lives on subsistence agriculture.

### **The Conflict**

Doña Juliana had inherited a property within the reserve from her husband. For personal reasons, she had to leave the community for some years. When she returned with Domingo, her present husband, she found that the children of her ex-husband had sold the property to don Miguel, who had all the legal documentation that authorized him as the owner. Doña Juliana did not accept the sale and established residency on the property. During the years the case was taken to the judicial authorities of Nelly City, on grounds of agrarian, civil and penal violations. Some of these granted legal ownership to don Miguel. Nevertheless, doña Juliana refused to leave the property, and continued living there up until the day of the circle.

A few years ago, don Miguel had negotiated the benefit that is awarded to properties that apply certain forest conservation methods; a benefit that had been awarded by the official entity in charge of the matter.

The conflict had become aggravated over time and had caused a division in the community, where – for family and proximity relations – the other citizens had taken sides in the dispute. Some members thought that don Miguel was taking advantage of the situation of Doña Juliana's poverty. Others thought that don Miguel had complete right to demand that Doña Juliana leave the property and that she had a right of herself over the property. These differences were causing cleavages and frustration in the community.

Meanwhile, the indigenous development associations that

administered the territory during the period of conflict did not have the ability, or the real possibility of mediating in a decisive manner. Furthermore, the previous Board of Directors, because of the dilemma over the ownership of the property, had decided to retain the money from the forest conservation award, causing another conflict between the Board and don Miguel. Don Miguel had recently announced his intent to sue the Board over this issue.

One complication that only became obvious during the circle was the lack of legitimacy and confidence from which the Board of Directors suffered in this community. A history of abuses of power, *compadrazgo*, and decisions made for personal interests, made it that the Board lacked the legitimacy to implement complex or controversial decisions.

The recently elected Board of Directors, presided over by don Julio, son-in-law of don Miguel, but with the legitimate desire to find a solution to the problem, decided to welcome the idea of having a circle to address the conflict.

### **The Circle in Conte Burica**

On March 9, 2006, Kay Pranis, a recognized expert in Circles from the state of Minnesota, Sara Castillo, Director of the National Commission for the Betterment of Justice (CONAMAJ) and a representative from Círculos, S.A., organized a peace circle to resolve the conflict. Kay facilitated (served as the circle-keeper) while Sara served as a cofacilitator and did the translation from Spanish to English and viceversa. The community members themselves interpreted from Gnöbe to Spanish, making this experience not only multicultural, but multilingual.

We arrived at Conte Alto, at the head of the Indigenous Reserve of Conte Burica, at 7:30 a.m. – early. However, the children were all already at their desks and working under a huge mango tree. We hung around for the next couple of hours – played with the pre-school children, walked around the village. Kay began to prepare for the circle – got out the items, put tobacco out under the tree, called on the land and helpers.

In the mean time Sara have gone in the truck to get Julio and then went to get Juliana and Domingo to make sure they would be at the circle.

The participants sat in a big circle in the room that functions as a meeting center in the small community. Outside, watching and listening through the openings of the upper parts of the walls of the building, formed another circle consisting of interested people who either had not been called into the original circle or had not been able to fit into the limited physical space. Women, young people, and children attentively observed the process.

When everyone was there the circle began. In the circle were doña Juliana, the woman disputing the land, and her husband; don Miguel, the one who had bought the property, and his family; don Julio, the president of the Board of Directors, and the rest of the members of the Board. In addition, other members of the community were present including elderly persons, “the founders”, and various youth who also actively participated. In all there were close to 30 people present.

In the center of the circle were positioned various objects, among those, a cup of earth and another of water, a feather, a rock, and a toy iguana. All of these objects served as talking pieces for the dialogue. Kay explained that the talking pieces served to maintain the fluidity of the circle and that only the person who had the talking piece in their hand was able to speak.

The circle began with an opening ceremony in which three youths performed traditional songs. That was a bit rocky, but successful in that it brought focus and connected to the cultural roots of the community.

Then Kay asked each participant to say their name and express how they were feeling at the time. In response, some participants began to describe part of the problem that they wanted to resolve.

We did a round about values and wrote them on paper plates. The values were: "humilidad", "solidaridad", "respeto", "amor de Dios", "igualdad", "integridad", "paz", "amor de la comunidad", "derecho", "capacidad" (to express oneself), "honestidad", "libertad de hablar".

That round seemed quite successful. We put the plates in the center and people occasionally referred to those values as the basis for trying to work through the conflict.

Kay asked the participants what the land meant to them. Each participant took turns speaking while holding the cups of earth and water in their hands. Descriptions of the land as “*madre*” (mother),

as the source “*la que nos da todo*” (that gives us everything), as a source of identity “*lo que somos*” (who we are), and origin “*de la tierra nacimos a la tierra volveremos*” (we came from the earth and we will return to the earth) prevailed.

Next Kay asked them to talk about what community means to them and what they considered the strengths of their community. To our surprise people talked about having schools, having someone from the health ministry and roads – development stuff.

At this point it was very important to bring to mind the original grounds that held them together as a community, using memories of the past that the very oldest had brought to the circle. In detail they recalled the difficulties that had passed and the values and principles that kept them united over the years. For their part, the youngest talked about the benefits of the “new” method of communication with which they were experimenting, and the importance for the children of what was learned. Images of the past and the present joined with visions of the future.

We followed that with acknowledgement of the difficult conflict around Don Miguel and Dona Juliana and asked people how that conflict had affected the community. Many people were brief, but a few spoke at greater length and brought key ideas into the circle.

We then asked, “What has been the hardest thing for you in this conflict?” That question drew more emotion and started to open up the dialog. In this round Julio went to the blackboard and drew a map and gave his version of events (which pointed toward legitimacy for Don Miguel’s claim.) Doña Juliana, in response, called Julio “gordo”, fat man and attacked verbally, but did not go on too long with that so Kay let it pass, becoming this a turning point as finally were putting the hard feelings out there to work on.

Throughout the process several community members emphasized that the problem should be resolved in the community – not taken outside and not bring someone from the outside to decide. Repeatedly people talked about a problem with the Board decisions not being respected and also talked about Board decisions being based on what was good for the relatives.

We did a round asking what the community could do to help both parties feel respected since both expressed feelings of disrespect and what ideas people had for a solution that does not create a loser. A

couple of people referred to and supported Julio's suggestion of the Board finding a solution possibly by using other land. Mostly people expressed their desire that a solution be found that serves both and that it be resolved in the community.

In the following round, Kay requested that the participants offer possible solutions to the problem. In this round it was proposed that doña Juliana remain on the property, and that the Board of Directors take charge of locating another property that could be given to don Miguel, and that that could be dealt with in another circle with the Board of Directors. It was also recommended that the Board return the funds from the environmental initiative to don Miguel. Don Miguel was satisfied with this proposal. When doña Juliana was asked if she was in agreement, she said that she would agree provided that she had a trusted person with her during the second circle. Right there the woman chose the person that would accompany her in the next circle with the Board of Directors.

And then we had the closing round. Many participants were eloquent about the process and their hopes. Juliana was content in the moment, but not sure about the future. Otherwise people were very positive and grateful to us for coming. They were clear that they had not just worked on resolving this issue, but had also learned the process which might be used for other situations. Several spoke to the importance of the community taking responsibility in such conflicts and not leaving them to the Board or to outside authorities. Over and over they described it as the first time they had worked out something like that in the community.

The circle ended with all participants holding hands in silence, and followed by a ceremony of traditional dances by the same students who had participated in the opening.

It was amazing that we went from the coffee break at 11:30 until we finished, a little after 4 p.m., without a break. Even though in several occasions we thought of breaking, it felt like the flow should not be interrupted and no one suggested a break.

And then we drove away, racing with the setting sun to get out of the steep mountains before daylight faded – with the back of our truck jammed with people hitching a ride toward their homes.

A few weeks later the Board of Directors of Conte Burica did a

second circle and the solution proposed in the first circle was accepted by all participants.

### **Final observations**

An emblematic aspect of this circle was the permanent consciousness that was being observed by the community, or really, by the external circle. In contrast to other circles where confidentiality is a value, in this case the publicity of the experience played a very positive role. In reaching a resolution to the conflict, the participants knew that they were creating an example for the observers and, therefore, felt largely responsible for the success of the circle.

On the other hand, the public settlement, agreed upon and visible to all, of a conflict of such long duration, was instrumental in the legitimacy of the agreement. The instability of an agreement made by the Board, presided over by a close relative of one of the parties, was substituted for the security of an agreement consented to and observed by a large part of the community.

The community tried an alternative method of communication and solution to problems in which all parties are heard, respected and taken into consideration. Despite the fact that during the circle there were times when participants expressed their emotions using very strong words, the community witnessed and took part in the solution to a conflict that had affected it for 12 years. All the direct parties demonstrated satisfaction with the agreements.

Kay recommended that the Board begin a circle process with the community that would allow them to create true consensus and to achieve a greater reconciliation to reinforce trust, accountability and the democratization of the government of that territory.

Sara Castillo, Kay Pranis & Miguel Tello  
2006

Translation by Heather Kirkwood