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MIKHAIL LYUBANSKY AND DOMINIC BARTER

At the turn of the twentieth century, W.E.B. DuBois observed that "the problem of the Twentieth Century is the problem of the color line." More than 100 years later, and more than 40 years after the Civil Rights Movement, his words continue to ring true. The quality of our education, the neighborhoods in which we live, the wages we are paid (even after controlling for amount of education), and how we are treated by educational, health, and legal systems continue to be significantly impacted by race. The group differences are striking. White Americans are more than 50 percent more likely to earn a four-year college degree than black Americans who, in turn, are three times (300 percent) more likely to live under the poverty line. The incarceration data are even more disturbing. In some U.S. states, black men are incarcerated on drug charges at rates 20 to 50 times greater than white men, despite considerable empirical evidence that the actual use or sale of illegal drugs does not meaningfully differ across racial groups.

In this reality of racial inequity—a reality of which many white Americans are not aware—interpersonal (as opposed to structural) racialized conflicts are typically either avoided altogether or addressed in ways that are painful and unsatisfying to all parties. As just one (typical) example, a racial conflict may begin when a person of color perceives another (usually white) person's behavior as racist and asserts his/her needs for respect, justice, and integrity by talking about it to the white person. The (white) person (either because of perceived aggression or because of a lack of awareness) typically experiences this address as unjust and painful and, therefore, reacts defensively, usually by denying or minimizing culpability, but sometimes by making a counter-accusation that the person of color is "overly sensitive." This, in turn, usually triggers in the person of color a profound sense of not being understood or even heard. Regardless of any positive intentions they may have had at the outset, it is not unusual for all participants to leave such an encounter feeling upset and dissatisfied.

Attempts at outside intervention or mediation are often equally unsatisfying. Conventional approaches to interpersonal racial conflict, like conventional approaches to conflict more generally, focus on determining who violated which rule and administering a punitive action, such as detention (in a school setting) or a written warning (in a workplace setting).

Even interventions intended to foster growth rather than retribution (like a mandated letter of apology or community service) have limited restorative potential. Despite a genuine desire to help the "victim" feel better and help the "offender" take responsibility for the act, mandated acts are less likely to be perceived as authentic communications of regret and do not typically lead to increased understanding of how and why the act was harmful. In the end, the "victim" typically continues to feel hurt and offended, the "offender" often feels victimized by the authority's intervention, and no clear benefit is evident for the community affected by the conflict, such as neighbors, classmates, or colleagues.

Community-based racial healing initiatives (study groups, forums, and teach-ins, for example) are typically designed to involve the community, but rarely garner wide support across racial lines. Some suggest that disinterest and lack of involvement on the part of whites is yet another example of white privilege; indeed, being able to opt out of initiatives that try to foster cross-racial communication is often one of the privileges of whiteness. From the perspective of many white Americans, however, participation in cross-racial initiatives carries limited value and considerable risk, as they believe such encounters are likely to result in hostility and accusations of racism, and are unlikely to result in recognition of what white Americans perceive as their good intentions (or efforts) *vis à vis* racial justice or of the possible role played in racialized conflict by members of the racial minority community.

At the same time, black and other racial minority involvement in cross-racial healing initiatives is also sporadic at best, both from participation fatigue in past efforts and from a general hopelessness that the newest initiative will succeed where others failed. More specifically, members of racially marginalized groups are reluctant to participate because they often lack trust that their white neighbors will be able (and willing) to acknowledge the existence of racism, or care about the well-being of people of color enough to support significant systemic reform. Additionally, as per William Cross' racial identity model, for some people of color, participation in racial healing initiatives is undesirable because it accentuates a sense of difference, when what they desire is a greater sense of integration and non-differentiation from the majority culture.

Restorative practices may offer an alternative. They support individuals and communities during conflicts, including racial conflicts, by creating conditions for mutual understanding and collaborative action, rather than seeking to exclude or punish any of the parties to the conflict.

Restorative justice has become an international social movement focusing on researching and implementing change in formal justice systems, such as courts and prisons, as well as in semi-formal or informal justice systems, such as schools, workgroups and families. There are many different restorative practices—some with ancient roots, some quite new—that seek to make possible a more sustainable response to painful conflict, disagreements, or crime by bringing together many of those impacted and creating a space where their voices may be heard. Over the last 15 years, Dominic Barter's work has focused on observing, describing, and teaching the practice called Restorative Circles (RC), which was originally developed with *favela* (shanty town) residents in urban Brazil in the mid 1990s, and has now been tested in over fifteen different countries.

The difference between traditional responses to conflict and RC starts from the way we see what is occurring. Most approaches seek to suppress, pacify, neutralize, or contain conflict, believing it is dangerous. Our experience has suggested quite the opposite: it is avoiding or impeding conflict, which is dangerous. If conflict avoidance/suppression is successful, the underlying change seeking to emerge is lost, and the relationship or social system in which the conflict occurs is weakened by not having received and integrated the new information at hand. If unsuccessful, the damage caused in trying to avoid/suppress may result in the loss of trust, resources, lives, and the connectedness necessary for willing co-existence. Both of these consequences are a form of violence—caused not by conflict, but by the attempt to move away from it. The RC process creates a space in which conflict can flower, and those separated by painful acts, misunderstandings, and broken agreements can move toward each other.

The Restorative Circle process values the needs of all parties in the conflict and is designed to address those needs without blame or compromise. To the uninitiated, this may appear idealistic, naïve, and irresponsible. After all, it intentionally rejects the two core aspects of conventional approaches—the assignment of blame and the administration of punishment. We have become so accustomed to punishment as synonymous with justice that sometimes it is only through a direct, non-satisfactory experience with the retributive justice system, or direct, positive experience of a restorative process, that we come to see how limited a substitute the retributive system is for what those that experience themselves as victims say they seek: demonstration of self-responsibility, regret, and healing action by those whose acts they associate with their pain.

A Restorative Circle invites the conditions that make reparation and restoration voluntarily desirable for all present. Words and expressions of emotion can be deeply symbolic and meaningful in such encounters. It is action that brings long-term relief, however, both to those who have borne the sometimes deep pain of another's choices and to those who have acted that

way, or stood silent while others did. Reparative action (mending that which is broken or replacing that which is lost) can make a significant difference to people's lives. It is restorative action—acts that symbolize our renewed understanding of the sanctity of life, or our willingness to co-exist with each other—that brings lasting change and safer communities.

The key to such a change is dialogue. When communities begin to see themselves and others primarily through labels and structural power relationships, a quality of truth is lost without which dialogue declines. Restorative practices create the space for this quality of truth, and the forms of expression privileged by truth, to reassert their force and authority. They are by no means soft options. Dialogue makes domination of the proceedings by any one person or group difficult to achieve as it passes the discourse back and forth until mutual comprehension is reached, rather than highlighting one partial story.

These elements were particularly significant in the development of Restorative Circles, given the social context in which they first began. The Brazilian *favelas* are a stark reminder of the legacy of both slavery and the colonial effects on pre-colonial peoples. Improvised communities of people with the least access to the material resources necessary to lead healthy lives, *favelas* have been likened by United Nations Educational, Scientific and Cultural Organization (UNESCO) to pockets of rural India bordering on neighborhoods of urban Belgium. To this day, the *favelas* are the scene of profound social imbalances, and carry the scars of both the deep structural violence of unequal wealth distribution and the immediate violence of ongoing battles between resident drug gang members and the military police. The justice systems of both these groups effectively focus on the eradication of their "enemies" and the control of the population caught in the crossfire.

The racial mix in Brazilian society as a whole is as varied and complex as anywhere on Earth. Physical attributes such as hair texture and color, eye shape and color, facial and bodily bone structure, and skin color blend and coexist in ways that challenge generalization. In many Brazilian states, it is just as common for minority "whites" to have indigenous, Arab and/or African roots, as it is for the majority to have evident European features and be considered "colored" due to hair and/or skin tone. Yet, the promise this might hold of racial harmony fails to impact the realities of wealth distribution and violence, which show unmistakable divisions along lines based overwhelmingly on skin color and hair. This is true to such an extent that Amnesty International recently characterized armed police incursions into Rio de Janeiro *favelas* as acts of genocide by one ethnic group against another.

Emerging from such a backdrop of violence and racialized division, the effectiveness of RC in creating respected, community-owned spaces in which people safely engage and learn from potentially destructive differences has been significant, and suggests that the RC process may be well-suited for

engaging conflict in a variety of local and international social contexts. To illustrate this potential, we would like to briefly describe our observations of two instances in which interpersonal racial issues in the United States were responded to with elements of an RC process.

In the first case, a verbal comment was made by a white woman, which suggested to some of those present that she believed black American women typically spoke in a particular vernacular and were less likely to maintain stable relationships with the fathers of their children. In the United States, many people of color experience these types of micro-aggressions on a daily basis, and describe them to be one of multiple and varied forms of racism, which span from implicit and unintended to explicit and deliberate. Because many people of color have developed substantial coping skills to deal with the frequency of these occurrences (including psychological resources and social support networks), many black American adults experience racial micro-aggressions as offensive and unpleasant, but not as painful as other forms of racism. The RC process was chosen by the black woman who heard the comment, partly to test out the RC process, and partly to interrupt and challenge the normality of such experiences through this one localized example.

The second case also began with a verbal comment, but this time, what triggered the black American male to begin the restorative process was something he claimed never to have heard before: a white American male sharing that he was the descendant of a slave owner. In this case there was, superficially at least, no sense of wrongdoing between the two men; yet the experience of painful conflict to which the comment referred was unmistakable.

While a comprehensive discussion of how RC functions is beyond the scope of this essay, these two cases, in their unique ways, highlight three characteristics of the RC process that we believe to be of value in cases of interpersonal racialized conflict: the use of a specific incident to explore underlying issues; the explicit involvement of community members; and the fostering of power-sharing.

First, in both the cases, as in all RCs, the dialogue occurred around a particular, specific incident that served as a "doorway" into the larger conflict of which it is a single manifestation. Sometimes there is little to distinguish one such incident from another; at other times, the symbolic significance of one act or phrase is clear to those involved. Informal responses to conflict will commonly involve the recitation of multiple incidents, which usually prevents the underlying conflict from being addressed, either because it appears too enormous to tackle or because there is a lack of clarity about the underlying issues. Conventional formal responses will commonly focus exclusively on the act itself, or a group of acts, without exploring the underlying power dynamics. In either approach, the incident is usually described in contested language that prejudges one or more persons or groups as guilty of wrongdoing.

By being both relatively more specific and more objective, the "act" a RC focuses on is an agreed-on starting point, rather than a preview of eventual condemnation. Moreover, although the act in question is understood by everyone as something that someone is responsible for doing, it does not define the entire conflict and may receive relatively little attention until deeper issues are addressed. Neither diminishing nor overshadowing the underlying issue, the act serves to ground the participants in a shared experience to which they can refer as they journey into the conflict. In addressing deeply rooted structural violence, such as that characterized by racism, the ability to maintain balance between the specificity of an act, and the immensity of the context in which it occurred, has frequently supported a greater sense of justice for RC participants than focusing solely on either an act or the societal context alone.

Second, an RC, regardless of the setting in which it occurs, is owned and facilitated by the community, which is defined, in this case, as individuals who feel impacted by the conflict. RCs prioritize power-sharing by de-emphasizing the role of experts and professionals. Whether the community is small (such as a family, a neighborhood group, or local business), of moderate size (a high school) or large (the state criminal justice system), both the RC participants and the facilitator come from within the community. In addition, everyone participates not in their capacity as authority figures (school principal or police chief, for example), formal family roles (grandfather, sister) or professionals (paid conflict facilitator), but in their personal capacities as community members and peers. The nametags of structural authority—such as job descriptions that sanction the use of power over others—are left at the door.

This distinction extends to the labels of "offender" and "victim," labels that are ubiquitous in most other responses to conflict but are neither used nor implied in the RC process. In a RC, everyone present is understood to be impacted both by what happened and by the conditions in which the act occurred. This balance of (co-) responsibility acknowledges the unique relationship of each person to the others. Thus, the use of the term "author" and "receiver" in RC connects participants to the specific act without defining them via the act or denying other contexts in which they operate. Further, the spaces in which the Circles occur are chosen by, and hold validity for, the community they serve—which may or may not coincide with rooms and buildings favored by other justice or disciplinary systems.

The consequences of these power-sharing shifts for any group in which established dynamics of discrimination are present can be very significant. Seeing Brazilian court workers or others invested with conflict-resolution authority (more likely to be beneficiaries of visible European heritage) traveling to *favelas* to sit in spaces chosen and legitimized by members of those communities is to see a concrete shift in how justice is (also racially) done. To

see U.S. police officers responding hesitantly but sincerely to the codes and signs of a restorative system set up by First Nation peoples is to see both a more effective and inclusive approach to community healing and a symbolic recognition of the deeper complexities and interrelationships behind daily choices.

Third, all RCs have an explicit community presence in that community members are part of the circle structure. In both of the Circles we refer to here, the presence and voice of the community were clearly felt. The maxim from the Brazilian projects—that it is not possible to observe a RC, only to participate in one—showed itself relevant here also. This was especially notable because although some circles are comprised of just four or five individuals, these particular Circles both occurred in group learning sessions, with over 100 people present. In this somewhat unusual context, one way in which the community made its presence known was through various expressions of unease by the white majority. There is probably little (that can be said in words) that is more painful to most racially well-intentioned white Americans (a description that is intended to describe the vast majority of this racial group) than to be called "racist," especially in public, especially in the context of a community that values acceptance and nonviolence. In this context, even the idea of passive racism (the possibility that one's silence in the face of a racist comment implies a tacit agreement with the comment) is sometimes unbearably painful. Moreover, because many white people in the United States may believe they are not supposed to talk about race, few white Americans are experienced in getting the support they need or otherwise cope with these kinds of interactions.

In such moments, the dialogue process, made explicit by the actions of the Circle facilitator, was a key to creating the conditions for such pain and fear to be heard, while maintaining the focus of the process on a non-punitive response to the chosen act. Equally key was the reminder that such processes are as voluntary as the conditions within which they exist. In fact, the more voluntary the participation, the more restorative the outcome tends to be.

In the debriefing immediately after, participants in the first Circle reported feeling heard, understood, and more strongly connected with each other, while those in the second expressed satisfaction at having said and heard a degree of truth they were unaccustomed to experiencing outside their respective racial communities, or even within them. This is consistent with a growing body of literature documenting the effectiveness of restorative practices in general, and RCs in particular. As just one example, the United Kingdom–based National Endowment for Science, Technology, and the Arts (NESTA), which selected RCs as one of just 10 international public programs exemplifying "radical efficiency," reported a satisfaction rate of 93 percent by surveyed participants of 400 RCs in São Paulo and, in one school district, a

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98 percent reduction of police school visits following a school-wide adoption of RCs in 2009.

The data is inspiring and essential if the RC process is to continue to spread, but what is more inspiring to us as we engage in this work is our memories of the actual Circles. Each one seems to teach us something new about how to work with and learn from conflict. In these particular cases, we learned that, even in artificial, unfamiliar, and public contexts, Circle participants could speak honestly and, in the process, come to a shared reality of what happened and how different individuals were affected. We are encouraged by this observation and continue to be excited by what we see as RC's capacity to engage racial conflicts in a way that is most likely to meet the needs and hopes of all participants. At the moment, it is the most effective process we know for doing this.

RECOMMENDED READINGS

Alexander, Michelle. 2010. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York: The New Press.

Cross, William, Thomas Parham, and Janet Helms. 1991. "The Stages of Black Identity Development: Nigrescence Models," in R. L. Jones (ed.), *Black Psychology*. Berkeley, CA: Cobb & Henry.

Gillinson, Sarah, Matthew Horne, and Peter Baeck. 2010. *Radical Efficiency: Different, Better, Lower Cost Public Services*. London: NESTA.

Schell, Jonathan. 2004. *The Unconquerable World: Power, Nonviolence, and the Will of the People*. New York: Henry Holt.

Sue, Derald Wing, Christina M. Capodilupo, Gina C. Torino, Jennifer M. Bucceri, Aisha M. B. Holder, Kevin L. Nadal, and Marta Esquilin. 2007. "Racial Microaggression in Everyday Life: Implications for Clinical Practice." *American Psychologist* 62(4): 271–286.

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