

## Toward Peace and Justice in Brazil: Dominic Barter and Restorative Circles

BY JOSHUA WACHTEL

In 2004 the Brazilian Ministry of Justice received a small UNDP (United Nations Development Programme) grant to launch the country's first official restorative justice (RJ) pilot projects. Recognizing the unique social context of urban violence in Brazil, the projects brought together school administrators, judges, court workers, prison authorities, social service agencies and local community leaders to create a broad restorative response to the most challenging breakdowns in community safety. While justly known for their creative celebration of life, Brazilians also live with glaring wealth imbalances and the normalization of violence: Murder is the principle cause of death for people under 25.

In Rio de Janeiro, 20 percent of the population lives in crowded *favela* shantytowns — improvised communities of cramped, shoddy, multi-story houses. Drug gangs are the city's largest youth employer. Education, family life and social cohesion are all hugely impacted by fear, improvised martial law and the struggle to make ends meet.

In the mid-1990s, Dominic Barter began working with *favela* residents, including drug gang members, to help them strengthen nonviolent options for working with young people. "I saw violence as a monologue," said Barter. "All the state and gang responses to violence were more of the same. I wanted to create a dialogue." In early 2005 he helped organize the country's first public presentation on restorative practices, at the Brazil-based annual World Social Forum. The Ministry of Justice heard Barter's presentation and hired him to develop a conferencing model and train facilitators

for two of three new pilot projects, in São Paulo and Porto Alegre.

A self-educated RJ practitioner, Barter was raised in England, first visited Brazil in 1992 to attend the United Nations Conference on Environment and Development and settled in Rio in 1999. Barter's background in theater, education and social change, he says, involved creative engagement with conflict. He became a colleague of Marshall Rosenberg, founder of the Center for Nonviolent Communication (CNVC), which studies how people use their power to create partnership and cooperation, "emphasizing compassion as the motivation for action rather than fear, guilt, blame, coercion, threat or the justification of punishment" ([www.cnvc.org](http://www.cnvc.org)).

In June 2000 a bus hijacking ending with the tragic shooting of the hijacker and a passenger by a Rio police officer shocked the nation. Barter saw the events unfold on television and later learned how negotiations between police and assailant had been bungled. (He was doubly stunned to realize he had once met the hijacker.) Reeling from the militancy of the police reaction, Barter took action. "I rang everyone I knew, and we began learning how to deal with such situations differently, first by teaching ourselves, then by giving trainings, getting to the police and suggesting the use of nonviolent methods of conflict resolution."

The municipal government soon requested Barter's help mediating meetings between the chief of police and shantytown residents' associations. Projects brought *favela* youth and school-age children of the elite together to share cooperative ways to play sports, learn

computer skills, acquire fresh food and support local health workers. The NVC-guided principle was: Listen to what local people want and respond to it, rather than arrive with prepackaged answers.

"In each project, the question of violence — domestic, community, police/gang or school violence — was never far away," said Barter. "Most youth have absent fathers. Their mothers work long hours as domestic maids. After school, children hang out with the 'uncles,' teenagers employed by the gangs. From nine years old, they're already running errands for the gangs, looking cool and making money. Yet they were always asking for help with conflict, saying they wanted a different life."

From these initial conversations, Barter began to organize restorative responses to the situations youth and adults were raising. "It was very effective," he said. "People would come to us with their issues. I started organizing impromptu restorative conferences in the shantytown. Although I had read about RJ in the early 90s, I had no models, just the principles of NVC."

Over time a unique conference model emerged, known as restorative circles, which involves three key participants: the author of a given act, the recipient of that act and the local community. Barter coined these terms — and prefers them to the victim and offender labels — in recognition of the complex web of mutuality much violence involves.

"Often, all those in the circle see themselves as victims and each other as offenders. Restorative practices are valuable in part because they can contain and recognize such experienced truths."

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Barter added, "The process speaks to people because it balances responsibility with empowered decision making and belongs to the community that uses it. All who come to the conference do so in a personal capacity, no matter what their relationships are outside it. This creates safety and helps reveal our shared humanity."

A weakness of these early shantytown conferences, said Barter, was that agreements made with the best of intentions would sometimes vanish as soon as the participants left the meeting room and returned to the social realities of their daily lives. When the pilot projects began it was possible to carefully create a systemic context for the conferences, in which each community chooses to use the process and is directly benefited, thereby giving the circle and its results validity and shared meaning. The agreed action plans are now carried out to everyone's satisfaction in over 90 percent of cases.

In Porto Alegre, in southern Brazil, (metro region population: four million plus), the new RJ program is an alliance between the courts and associated criminal justice and social service agencies. A restorative process: a pre-circle meeting, the circle itself and a post-circle evaluation, is offered to adolescent offenders in the community by victim and offender support services and agencies that facilitate community service sentences, and in youth shelters and secure youth detention facilities. The program serves large numbers of youth and has trained thousands in RJ principles and practice. Introductory RJ workshops are offered free to the public. Pontifical Catholic University of Rio Grande do Sul's research department is studying the program's effectiveness, and there's a website where people can input information about their experiences with RJ for comparison and research.

The São Paulo program, in Brazil's most populous state, is also for adolescent

offenders and is a joint project of the justice and educational systems, with local communities and police involvement. It is active in four cities, with plans to expand to a further 15. In the capital (also called São Paulo), Brazil's largest city, any young person who attends one of the high schools surrounding the city's biggest shantytown, Heliopolis, and commits a crime is funneled to a restorative track, administered in the courthouse, school or local community. In some areas police have discretion to take an offender either to the police station or back to school, where a restorative circle is immediately convened. Referrals to the juvenile court have decreased by 50 percent since the policy's inception.

Both Brazilian projects are expanding within their states and seeding new initiatives throughout the country. They have attracted national media attention, been featured on a youth soap opera, and won awards for innovation in the areas of justice and education. Lessons learned from this experience have been shared in India, Iran and the Philippines. In 2008 Barter was a keynote speaker at the IIRP World Conference in Toronto, which brought this work to many more practitioners. "Since judges, teachers, students, law officers, parents or any affected community member can initiate the process, people get behind it," said Barter. "In terms of power it's a very wide ranging, inclusive and therefore effective proposal."

Sylvana Casarotti is a coordinator in the São Paulo RJ program. She was initially trained as a facilitator to go into schools and work with school directors and others responsible for making pedagogical decisions, to demonstrate how to facilitate circles, and teach schools to set up and maintain restorative systems. She now works closely with Barter as part of a core team establishing new RJ programs in a growing number of schools.

One moving situation Casarotti experienced involved a family with 14 children between the ages of 3 and 16 years old. Two of the brothers were caught stealing food from other students during lunch. The head teacher wanted to expel the boys — the usual punishment for stealing. But because the school had recently implemented a restorative system, the head asked Casarotti to facilitate a restorative circle first.

"There were several results that were very meaningful," said Casarotti. The students were not expelled. Through the conference the true circumstance of the family was made known to the school for the first time: They were so poor they used a schedule to decide which child would eat each day. The eldest child was in prison for stealing food, and when the story came out, the judge who sentenced that child called for a review of the case.

Not only was the problem solved with the boys and the family, but the boys also have a new, positive relationship with the other students in the school. Now when the brothers get into trouble, even outside school, they approach school authorities and seek restorative solutions. "They know this is not simply something the adults and teachers send kids to do," said Casarotti. "RJ is available to students to initiate themselves."

Said Casarotti: "I give the information to my family and my children, and I have found the value of having learned how to listen. Brazil is growing and looking toward the future but suffering from a lot of individualist thinking, so it is essential to learn to see the other person as a human being. In order to establish a culture of peace, so Brazil may have a future, it is essential for people to learn how to dialogue and resolve their problems with restorative justice."

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