

Indonesia: Restorative Justice for Healing a Divided Society

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Introduction

The modern Restorative Justice (RJ) movement began in North America as an approach to crime, and in New Zealand as an approach to child welfare issues. Both were based on the communal experience familiar to villagers worldwide. Societies which cannot afford to lock up those who violate societal norms have traditionally used restorative methods to return people to productive life in the community. (Zehr, 1990)

Over the past 20 years or so certain principles of restorative justice have been recognized. These principles have been applied to criminal behavior, child welfare, school discipline, personnel management, and other areas of human interaction. (McCold, 1999) In this paper we will explore the use of these principles for healing a large and deeply divided society, the country of Indonesia. The paper uses theory developed through years of practical application, and examines current efforts to apply the principles to various aspects of Indonesia's crises.

The Principles

Principles, by their nature, attempt to broadly define a field at a fundamental level. One can see them either as a fence, describing what is inside or outside the field (a bounded set) or one can see them as a center point, from which the field is described outward in relationship to the center (a centered set). We will be using the centered set idea here, offering principles of RJ and contrasting principles. Any practice can be described as more or less restorative. What is difficult is describing when a practice is not restorative. RJ does not lend itself well to yes/no thinking. Indonesian habits of speaking do lend themselves to RJ discussion. One does not usually say something is "bad" (jelek) but rather "less good" (kurang baik).

Several people have offered sets of RJ principles (Ron Claassen, Paul McCold, Mark Umbreit, Dan Van Ness, Howard Zehr and others), all of which have similarity, drawing from each other. RJ is a field where there has been significant collaboration by those doing the early work. For our purposes here we will offer a new set of four principles, drawing from those which have gone before while aiming toward both simplification and application to the new goal of national reconciliation. This new list of principles is offered in Appendix A with Ron Claassen's larger set designed for victim-offender reconciliation work in Appendix B for comparison.

Principle 1. Violations of human relationships are important events which require reconciliation at personal and community levels.

Community life is impacted by interpersonal violations as well as inter-group violations. Societies in the more developed world identify certain categories of violation for attention at a community level, and usually identify those violations as crimes. The next, lower intensity layer of violations may receive some attention.

Presently it is not common for public community institutions in developed or developing nations to offer assistance to, or be involved in attempts to reconcile human relationships unless the violation can be defined as a crime, or the legal system becomes involved in some other way, such as in child custody cases. If the violation can be described as a crime, it is more likely that these community institutions will focus on punishing the offender than focusing on the needs of the victim or any needs for reconciliation. Howard Zehr has described this phenomenon well in *Changing Lenses* (Zehr, 1990), the seminal book of the RJ field. Generally speaking, less developed communities are more likely to consider reconciliation important enough to warrant community action. Interestingly, Daniel Van Ness finds the United Nations advocating for communities involving themselves in reintegration of victims and offenders into the life of the

community (Van Ness, 1996). The fact that this is not widely known underscores the idea's distance from mainstream discussion.

This community blindness to the need for reconciliation seems to arise in part from the impact of individualism as a world view. Where interpersonal problems are only seen as impacting the individuals involved, there will be no perceived need to involve the community, unless crime is involved. Where the community perceives a threat to the general safety, community action will seem appropriate.

A way of describing the difference is the comparison between low and high context societies. David Augsburger has provided one good description of the difference (Augsburger, 1992) first suggested by Ruth Benedict (Benedict, 1934) which I have developed since (Ruth-Heffelbower, 1999a & b). At a very basic level, a high context society can be called shame-based. The importance of face is very high. Persons do not exist as individual actors, but as part of a family or clan. All actions are done on behalf of the family or clan. In such a society the need to avoid losing face or causing someone else to lose face, either of which causes shame, is the primary driving force behind many cultural practices. Since the community is impacted by any actions of an individual, it is natural for the community to be involved in rectifying problems that arise between people.

To avoid loss of face one must develop indirect methods of managing conflict. This also requires more people to be involved. In consequence, the natural way for conflict of any kind to be managed in a high context society is for someone outside the conflict to act as go-between, representing the parties to each other, and the moral force of the community to both. The solution sought is restoration of the individual relationship, and by extension the peace of the community. A high context society does not see the possibility of peace in the community when individuals are not at peace.

As I have described elsewhere, this desire for community peace works well in homogeneous societies, but is not equipped to handle conflicts which cross cultural or community lines. (Ruth-Heffelbower, 1999a, 1999b)

Low context societies, and by now you will have guessed that they are made up of those whose background or training emanates from northern Europe, see individuals as independent actors. Shame is not desired, but neither is it so easily experienced. If a low context person is shamed, the shame does not readily spread to their family or clan. Low context people value freedom of action and decision over avoidance of shame. They also value working directly on interpersonal problems, and can be offended by a person who refuses to directly discuss a problem in the relationship. Talking to others about the problem is seen as gossip, and wrong. These societies are also called “guilt based” since personal guilt may motivate people who are relatively immune to shaming.

The community consequence of this low context world view is that individuals are expected to take care of their own problems directly, not bothering the community with them unless community security is impacted. Principle 1 takes issue with this world view, and suggests that the community is impacted sufficiently to have needs by violations of relationships which do not rise to the intensity of crime. It further suggests that societies which do not recognize this impact and address it have unmet needs for reconciliation. How that dynamic plays itself out will emerge as we continue.

One other important dynamic separating the reconciliation practices of more and less developed communities is the professionalization of social services in more developed communities. Rather than going to see a wise person about a problem, developed, low context societies assume that the appropriate professionals must be involved. This means that there are significant financial issues in the provision of services. I, for instance, charged \$150 per hour for family mediation services

in the U.S. Communities triage their problems, and only fund help for those seen as most damaging to the social fabric. The low context world view does not see reconciliation work as worth funding. Neither does it have an entrenched group of civil servants, as does the criminal justice system.

For these reasons, among many others, low context societies in developed areas disagree with Principle 1. Reconciliation is a frill, a luxury, not practical. It is not quantifiable. People disagree on whether it has occurred in different cases. It is better to stay with the law. Law is rational, verifiable, quantifiable. The trouble is that one can't pass a workable law requiring reconciliation. It has been tried, of course.

Societies in less developed parts of the world would agree with Principle 1, but generally lack mechanisms for working at reconciliation that crosses cultural lines. The situation in Indonesia is one with many cross-cultural aspects. The tried and true methods which work within cultures don't work across different cultures. I have previously described a method of getting past that problem. (Ruth-Heffelbower, 1999a, 1999b) In very brief form, it requires teams of wise persons who represent the various cultures involved.

Principle 2. Violations of human relationships create needs and responsibilities.

Howard Zehr is the person I first heard describe this principle. The idea is simple: when harm is done to a person they have needs arising from that harm, and when needs are raised by someone else's behavior, the responsibility to provide for those needs arises as well. This principle does not say whose the responsibility is, that being left open for those affected to determine. A corollary to Principle 1 would state that the responsibility is owned by the community, and that the community's responsibility includes deciding where the ultimate responsibility lies.

Societies in the more developed parts of the world usually have highly developed mechanisms for assigning responsibility for harm. Trial lawyers in America, and I can talk about these people since I have been one, would say that for every harm there is a remedy. The system of assigning liability for that remedy is the court system. This system is most highly developed in the United States where there is a lawyer for each 300 people, more or less, and cases involving injury are handled by lawyers for the injured party on a contingent fee basis, meaning the lawyer has to win to get paid.

Getting paid is the problem when it comes to a system for assigning responsibility for harm from violation of relationships. In most cases, the harm is either something that money is inappropriate for repairing, or, particularly where the violation rises to the level of criminality, the violation is done by someone who has no money or who remains unknown. This is why we see lawsuits against the owner of a public building where a crime occurred, predicated on a burned out lightbulb which allowed the malefactor to lie in wait. There is no point in suing the criminal, who is unlikely to be found in any event.

So the nation with the most sophisticated blame-placing system has no comparable system where the desire is for a remedy which isn't cash-based. Less developed parts of the world lack a legal system able to rearrange stacks of money reliably, but have good systems for assigning responsibility for harm brought about by a violation of human relationships. Once again, the lack of a professional or civil service class of persons who earn their living through assigning fault frees the community to work on matters where relationships within the community are what matter.

Can these traditional systems be called upon when the nation is divided along ethnic or religious lines, and in need of reconciliation among many people?

Principle 3. Restorative Justice is a reconciliation process by which needs created by a violation are met and responsibilities created by a violation are acknowledged.

I have not yet seen books on restorative justice by two different people who used the same definition of “restorative justice,” nor do I plan to change that pattern here. Nevertheless, there is some agreement within the field on what restorative justice looks like. As mentioned earlier, it is usually a simple matter to decide whether one practice is more or less restorative than another practice, but difficult to say when a practice is not restorative. Principle 3 acknowledges the process nature of RJ. RJ is not, by its nature, something that has a clear beginning and ending.

Principle 3 also defines RJ as a reconciliation process. Reconciliation, to some extent, is a necessary goal of any practice which seeks to be restorative. While it is possible to seek revenge and incidentally use a process which is restorative, the revenge motive tends to drive out the possibility of reconciliation, but not always.

I once mediated a victim offender case where the offender was a young man who participated with others in damaging a young woman’s car while he was drunk. The parties to the mediation were the young man, who was the only person apprehended by police, the young man’s parents, and the young woman’s father, who was outraged at this assault on his family. The woman’s father began the session by saying his only purpose in coming was to gather evidence to use in a lawsuit. After a caucus where I discussed the implications of proceeding with the parties separately, the decision was to go ahead. The father rather quickly learned that this young man did not know his daughter, did not know whose car he was damaging, and felt terrible about the whole thing. Nevertheless, the father blustered on through, ending the session by saying he would see them in court.

There was never any court process. The young man’s sincerity, and that of his parents, in wanting

to make things right, along with the information that the event was random vandalism rather than a personal attack, had ended the father's need for revenge. The meeting had been restorative in spite of efforts to make it otherwise. The reason this case worked as it did may be because most of the people present wanted it to lead toward reconciliation. Had there been a mutual desire for revenge, the result could certainly have been different.

Principle 3 also points to two necessary components of reconciliation: acknowledgment of responsibility and meeting of needs created by the violation. The young man did both in the example I just cited. He acknowledged his own responsibility, and met the actual need created. The woman's father did not need money. Insurance had taken care of that. His need was to insure the security of his family. By discovering the random nature of the attack, he was assured that it had not jeopardized his family's ongoing security. It was the same as if a tree had fallen on the car. Had he not so strongly stated a position of desiring revenge, the meeting could have been a more reconciling event. As it was, the man was too embarrassed to change his tune when the facts came out.

Many attempts at reconciliation fail because they do not include the necessary elements. As shown by Ron Claassen's Peacemaking Model (Ruth-Heffelbower, 1999b), a model developed through many years of experience in victim offender mediation, there are three requirements for reconciliation: acknowledgment of injustices, restoring the equity, and being clear about future intentions. Our plan for Indonesia will need to include these elements, which have been suggested for reconciliation of communal conflicts before this. (Kriesberg, 1998)

Principle 4. Availability of restorative processes is the responsibility of the larger community.

Individuals can do some restorative things on their own, and this happens more than we realize. When things have gone badly awry, it is usually beyond the ability of the individuals involved to work restoratively by themselves. This is particularly true in cases of crime, or where there are significant power differentials. Someone else needs to help in these cases. The community has long since taken on the job of providing retributive processes, having recognized a community need. Principle 4 suggests that the community also recognize restorative processes as a need. It is outside our scope here to describe the utility and efficiency of such processes for a community, and it will need to suffice to say the benefits are large, in the experience of communities which have taken on the responsibility. (Umbreit, 1998)

Here our task is to look at community in a very large sense. When we think in terms of national scale reconciliation, what do we mean by community? Now it is time to turn to the announced task of applying restorative justice principles to reconciliation among the people of Indonesia.

The Situation

Assuming those hearing or reading these words are reasonably aware of the major events taking place in 1998 through 2000 in Indonesia, there should be no surprise when I suggest that there is need for reconciliation in Indonesia. The nation includes more than 200 million people spread over 6,000 inhabited islands in more than 300 ethnic groups speaking almost as many languages or dialects, with five major religions and an underlay of traditional beliefs.

The nation came into being after World War II through a combination of what are variously called wars of liberation and wars of neo-colonial conquest, depending on one's viewpoint. Following the fall of the repressive Suharto regime in 1998, separatists in a number of provinces stepped up their calls for either autonomy or independence. The East Timor debacle has been the most dramatic example of this separatist sentiment and the government's response to it. People are being killed

with regularity over these issues on a number of islands.

What non-Muslims call an official, but unspoken, government policy of Islamicization contributes to distrust among religious groups. Militant Islamic groups have public kiosks where people are invited to sign up for the jihad in the Moluccas, aimed at avoiding Christianization of those islands. The government continues to require all citizens to claim one of the major religions on their identity card, (not to mention their applications for cell phone service) and approximately 87% claim Islam.

Into this maelstrom add a continuing financial crisis which leaves the Rupiah at around one-fourth of its pre-1997 value against the U.S. dollar, and you have a situation in which many people have been less than kind to each other. In the last year thousands have died in fighting, and this in a nation where private ownership of firearms is rare.

Perhaps the most communally damaging events are those local outbreaks, which have happened all over Indonesia, where longtime neighbors turn on each other in an orgy of violence. Trust among religious and ethnic groups is low. (Jamuin, 1999)

There are groups working hard at changing this situation. It is to them that these remarks are addressed, and it is with them that I work on a daily basis. How might restorative justice principles be applied to this situation?

Toward a Plan for Applying Restorative Justice Principles to Reconciliation in Indonesia

When trust between people has been destroyed by a violation of relationship, restorative justice principles suggest that the situation can change by meeting the needs created by the violation and acknowledging the responsibilities created by the violation. The principles also say that it is the task

of the larger community to make this process possible.

The breakdown of trust among large groups in a society the size of Indonesia happens in both large and small ways. This indicates that reconciliation processes must address both. For example, I was in a small city in Papua (formerly Irian Jaya) when the local police shot and killed a man during a demonstration against refugees.¹ The next day a large group of people rather systematically burned down the homes and businesses of police officers and their extended families, as well as some government buildings. The local military contingent waited until the people were finished, and then came out to restore order.

This city is small enough that the people involved in these events knew each other. These were not faceless groups responding to ideology. How do the citizens of this city reconcile after such an event? Who makes the process available?

In this case there was no system in place. The directly affected police, most of whom were not from Papua, transferred to other islands. The police chief was replaced, as demanded by the community. Calm returned as these events took place. There was no reconciliation process as such. Was the handling of the aftermath in line with the principles of restorative justice described here? In some ways it was. The government acknowledged responsibility for making changes in police personnel, and in doing so met some of the needs created by the killing. The community could not trust those who had a hand in the death, and their removal allowed trust to begin rebuilding.

Unfortunately, many needs and responsibilities were neither met nor acknowledged. The community is predominately Christian, and the police involved predominately Muslim. Other than playing into a general atmosphere of distrust, religious issues do not seem of importance here. Nevertheless, it was Muslim homes and businesses that were burned. A large mosque, near a police

station that was burned, was occupied by Muslim students to protect it. There was much anxiety. This leads to a further breakdown of trust between the two groups. An interfaith reconciliation process which acknowledges the needs and responsibilities created by the incident would help to begin rebuilding trust.

Most of the people whose homes and businesses were burned had nothing to do with the killing at the demonstration, in any direct sense. They have needs, and the responsibility to meet them lies somewhere. A process of reconciliation would work with those issues.

While police homes and businesses were being burned, the local military detachment did nothing to prevent it. Whether or not that was the best policy, that decision leaves needs and responsibilities in its wake to be discussed. There are many more individuals and groups who could benefit from some sort of process where their needs were met and responsibilities were acknowledged. That is a large task, but when a community's peace has been so disrupted, an effort is needed to rebuild relationships.

Who should offer such processes in a case like this? The local government is not in a very good position to do it, being one of the parties. Provincial and national government are generally seen as too closely identified with the governmental party. Non-governmental organizations are logical choices, unless they are identified with a party. An NGO whose function is advocacy for some group would commonly find itself in a non-neutral position, particularly in community-wide cases. International NGOs function with local staff and do the same kind of advocacy work, thus having the same neutrality issues. Religious groups will always have neutrality issues.

It is all well and good to suggest reconciliation processes, but if there is no one who can make them available, the discussion is meaningless. Fortunately, there does appear to be a solution, one that

is being tested currently. My suggestion is an interfaith, university-based reconciliation consortium, supported by a combination of public and private funds, able to send teams to areas where reconciliation processes are needed. The first such group of which I am aware is currently working on the island of Ambon.

Experience on one island

Tim Independen Rekonsiliasi Ambon (TIRA) was jointly created in Yogyakarta, Indonesia, on the island of Java, by Duta Wacana Christian University, which is where I am located, the public Gadjah Mada University, and the Islamic University of Indonesia. It is funded by the participating universities, international NGOs and intergovernmental organizations. After a period of training and work with Ambonese refugees in Yogya, the team first went to Ambon at the beginning of February this year. Its goal, speaking very generally, is to help rebuild trust among the people of Ambon through a variety of activities, and to offer reconciliation processes as the desire for them arises. So far the team has been well received, and appears to be moving toward its goal.

Such a team enjoys the advantages of being diverse and neutral enough, while also having the resources, both financial and personnel, to enter and stay with the community long enough. These teams can be readily formed throughout Indonesia, and be available as the need arises. At present there is substantial deferred maintenance in the area of reconciliation.

Teams such as this, when sufficiently trained and experienced, can handle conflicts at any level in society, and do so restoratively. But what do they actually do? An examination of TIRA's strategy may be helpful.

Ambon is the largest of the Molucca Islands, lying between Papua and Java. Having been colonized by European traders 350 years ago the population had become predominately Christian by the time

the nation of Indonesia came into being. Christians and Muslims were mixed throughout the island, but it was more common for the two groups to have their own areas. Peaceful coexistence had been the rule. The Indonesian government policy of relocating Javanese transmigrants to other islands, including Ambon, gradually shifted the religious mix until Muslims outnumbered Christians.² Almost a year after the fall of Suharto, in early 1999, the peace of Ambon was shattered by deadly clashes which have killed thousands. Whole villages were destroyed and the inhabitants killed or scattered. As this is written in April 2000 Ambon is peaceful, but the smaller surrounding islands continue to have clashes.

The cessation of open fighting on Ambon allowed TIRA to enter the situation. Those who study such conflicts are aware of these windows of opportunity which can lead to either increased peace, or another round of bloodshed after the sides have caught their breath.

Principle 1 says that events as experienced in Ambon require both personal and community reconciliation. Principle 2 speaks of the needs and responsibilities created. Principle 3 defines restorative justice as the process by which these needs and responsibilities are acknowledged. Principle 4 says the responsibility for providing the process lies with the larger community. TIRA is working at each of these. Its entering the situation is an acknowledgment of Principle 4. If a whole island explodes in conflict, those from the community of neighboring islands share the responsibility to offer reconciliation processes. The team begins by listening respectfully to personal stories. That listening process alone begins to acknowledge the needs and responsibilities created by the violations of relationship.

When people have learned that the team is trustworthy by its willingness to listen, its offer of other activities can begin to be accepted. Processes by which individuals and groups acknowledge each others' needs and responsibilities can be offered. Community-wide events which build trust can be

held. Joint rebuilding efforts can be made. It will take a long time for all these things to yield a durable peace and a civil society. Institutions that cross group lines will need to be built. TIRA and other encouraging groups can help to make all this happen.

Broadening the application

Can efforts like the one on Ambon be expanded to all of Indonesia? In one way the situation on Ambon is simpler than on other conflicted islands. There is no active separatist movement on Ambon. What does one do in the case of Papua, or Aceh, or other areas where there are organized and active movements seeking independence? Each of these areas has its own internal conflict, and also has significant human rights abuse issues arising from the approach of the central government to the challenge of separatism.

Principle 4 says that the responsibility for providing reconciliation processes lies with the larger community. In the case of the island of Ambon that larger community includes groups from neighboring islands. For the interpersonal and local intergroup issues in Papua, Aceh and other areas, that same approach is still possible. Teams like TIRA can work well with such issues in a manner consistent with the Principles. Where human rights abuses by the provincial or national government are the issue, who is the larger community?

Nations do not appreciate the meddling of other nations in their internal affairs. Such interference is often driven by other than humanitarian motives, and can lead to new abuses. Efforts to deal with the situation in the former Yugoslavia are an excellent example of how supposedly good intentions can create new problems. In that case one of the process screens that seemed to be missing in the planning was the question: "is it restorative?"

Nevertheless, when some of a nation's citizens rise up against it, declaring that their relationship

with the government has been violated by acts of the government, the international community should appropriately ask whether there is a role for it to play in making restorative processes available. Such is certainly the case in East Timor, where reconciliation will now need to be between people of different states, as well as among citizens of one.

The suggestion here is that restorative processes are unlikely to be successfully offered by governments, or even intergovernmental organizations. Governments and politics are too closely related for either governmental or intergovernmental organizations to be neutral enough. (Chayes and Chayes 1998) Sovereignty is too precious for states to risk on such an offer of process. This means that non-governmental organizations must take up the task. The question is whether it is possible for an Indonesian NGO to provide restorative processes for relationships between other Indonesians and the central government. Practically speaking, there are not that many non-Indonesians sufficiently fluent in Bahasa Indonesia and prepared to provide such services to make restorative services readily available without the involvement of Indonesians.

The approach I am currently working with in Papua partners my Indonesian university and a national church organization in the beginning, then brings in representatives of as many stakeholder groups as possible as owners of the process. The church group provides a national-level infrastructure for organizing the process, along with connections to stakeholder groups. The university provides the technical expertise in restorative processes, and its relationships with other universities as a method of broadening the pool of experts involved. My involvement offers a person at the center of the process who is apolitical and who does not have a stake in its outcome beyond a desire to achieve restorative results. You'll have to ask me a year from now whether this idea worked, but it is looking promising so far.

I would be remiss if I did not note that part of being restorative is to be culturally appropriate. We

have been working hard in Yogyakarta to produce processes which are culturally appropriate for use in Indonesia's diversity. Processes which use imposed, culturally inappropriate methods have little chance of being restorative. (Lederach, 1995)

Conclusion

There is much more to be said about how to run restorative processes. My university in California offers the Master of Arts degree in Conflict Management and Peacemaking with a concentration in restorative justice. It is a big subject. My purpose here has been to suggest that restorative justice principles do offer a guide to reconciling people within a diverse and divided country like Indonesia, and to show that a beginning has been made in doing just that. How the processes are done is another paper.

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Appendix A

Principles of Restorative Justice for Reconciling Divided Societies

1. Violations of human relationships are important events which require reconciliation at personal and community levels.
2. Violations of human relationships create needs and responsibilities.
3. Restorative Justice is the process by which needs created by a violation are met and responsibilities created by a violation are acknowledged.
4. Availability of restorative processes is the responsibility of the larger community.

Appendix "B"

Restorative Justice - Fundamental Principles

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Presented May 1995 at NCPCR; revised May 1996 at UN Alliance of NGOs Working Party on Restorative Justice

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1. Crime is primarily an offense against human relationships, and secondarily a violation of a law (since laws are written to protect safety and fairness in human relationships).
2. Restorative Justice recognizes that crime (violation of persons and relationships) is wrong and should not occur, and also recognizes that after it does there are dangers and opportunities. The danger is that the community, victim(s), and/or offender emerge from the response further alienated, more damaged, disrespected, disempowered, feeling less safe and less cooperative with society. The opportunity is that injustice is recognized, the equity is restored (restitution and grace), and the future is clarified so that participants are safer, more respectful, and more empowered and cooperative with each other and society.
3. Restorative Justice is a process to "make things as right as possible" which includes: attending to needs created by the offense such as safety and repair of injuries to relationships and physical damage resulting from the offense; and attending to needs related to the cause of the offense (addictions, lack of social or employment skills or resources, lack of moral or ethical base, etc.).
4. The primary victim(s) of a crime is/are the one(s) most impacted by the offense. The secondary victims are others impacted by the crime and might include family members, friends, witnesses, criminal justice officials, community, etc.
5. As soon as immediate victim, community, and offender safety concerns are satisfied, Restorative Justice views the situation as a teachable moment for the offender; an opportunity to encourage the offender to learn new ways of acting and being in community.
6. Restorative Justice prefers responding to the crime at the earliest point possible and with the maximum amount of voluntary cooperation and minimum coercion, since healing in relationships and new learning are voluntary and cooperative processes.

7. Restorative Justice prefers that most crimes are handled using a cooperative structure including those impacted by the offense as a community to provide support and accountability. This might include primary and secondary victims and family (or substitutes if they choose not to participate), the offender and family, community representatives, government representatives, faith community representatives, school representatives, etc.

8. Restorative Justice recognizes that not all offenders will choose to be cooperative. Therefore there is a need for outside authority to make decisions for the offender who is not cooperative. The actions of the authorities and the consequences imposed should be tested by whether they are reasonable, restorative, and respectful (for victim(s), offender, and community).

9. Restorative Justice prefers that offenders who pose significant safety risks and are not yet cooperative be placed in settings where the emphasis is on safety, values, ethics, responsibility, accountability, and civility. They should be exposed to the impact of their crime(s) on victims, invited to learn empathy, and offered learning opportunities to become better equipped with skills to be a productive member of society. They should continually be invited (not coerced) to become cooperative with the community and be given the opportunity to demonstrate this in appropriate settings as soon as possible.

10. Restorative Justice requires follow-up and accountability structures utilizing the natural community as much as possible, since keeping agreements is the key to building a trusting community.

11. Restorative Justice recognizes and encourages the role of community institutions, including the religious/faith community, in teaching and establishing the moral and ethical standards which build up the community.

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Endnotes

1. I was caught in the middle of this incident. As with all true stories, the truth is rather hard to uncover. The facts as I give them here are from the perspective of members of the community with whom I have spoken and my own observations. The official version of the incident, as publicly reported, is different in many ways. My interest here is not to carefully uncover and report the true facts of the incident, or even all the competing views of it, but to use this rather generic incident as an example of how reconciliation processes might work in real life.

2. This view of history is disputed, and it is true that accurate numbers for most everything are difficult to come by. Population counts are based on people's national identity card, but even the President recently noted that he had five with different addresses.