

From Canada

FROM CONDEMNATION TO CONVERSION: Seeking restorative justice in the prison system

by Stephen J. Pope

One evening, while trying to elude police, a 19-year-old lost control of a stolen Cadillac, slammed into a bus stop and killed four people. Following his arrest, he was convicted of reckless homicide and other offenses and was sentenced to 47 years in prison. This incident was not the only tragedy he had seen in his relatively short life. Abandoned by his father and raised by an alcoholic mother, the young man had never had a childhood. As a teenager, his friends used and trafficked in drugs and stole cars. Now a 30-year-old, he will eventually be released from prison. While it is too late to undo the harm caused by his actions, the kind of person he will be when back on the streets of Wisconsin remains an open question.

Presently 2.3 million men and women are housed in prisons throughout the United States-the highest rate of incarceration in the world. Three out of every 100 American adults are either on probation, in prison or on parole. According to the U.S. Department of Justice, every year nearly 650,000 people are released from state and federal prisons and many more from local jails. Reintegration often fails; half of all former state convicts will be incarcerated again within three years of their release.

Citizens want perpetrators of serious crime punished in the name of maintaining the rule of law, deterring future crime and ensuring that criminals “pay their debt to society.” Though we still refer to departments of “corrections,” the penal system in fact focuses on retribution more than rehabilitation. Stigmatizing offenders and demanding longer sentences make for good electoral returns. Yet as recidivism rates show, the resulting policies do not encourage the rehabilitation of offenders. Our neighborhoods are less safe as a result.

A central Christian theological affirmation is that God loves every human being. Christianity's strong defense of the dignity of the person-rooted in the belief that every human person is made in the image of God-encompasses the men and women in our prisons as much as the unborn and the elderly. We see this in Scripture, where visiting prisoners is one of the corporal works of mercy and charity toward the incarcerated is equated with love of Christ. One of Jesus' last acts before his death at Calvary was to extend mercy to a repentant criminal (and to his own unrepentant executioners). The message of Christ is powerfully expressed in his words: "It is not the healthy who need a doctor, but the sick. I have not come to call the righteous, but sinners" (Mk 2:17).

Incarceration is sometimes necessary to protect society from dangerous criminals. But holding an offender accountable is not the same as defining him by the worst thing he ever did. Likewise, incarceration need not be equated with moral banishment from the human race. Recalling the basic human dignity of the offender can bolster societal hopes for rehabilitation. This shifts the focus from condemnation to conversion, offering the possibility of a reconciled community of both victims and convicts. How can Christians form such communities?

A Different Type of Justice

An initiative in which I have taken part may serve as one instructive example, for it involves women and men across the country working to bring about restorative justice. Restorative justice seeks to establish right relationships between victims, perpetrators of crime and larger communities. It seeks healing for all parties.

Janine Geske, a former Wisconsin supreme court justice, is director of the Restorative Justice Initiative of Marquette University Law School. Part of her work is to facilitate biannual restorative justice workshops in Wisconsin's maximum-security prisons. Since I have conducted research on restorative justice and have worked as a volunteer in the Massachusetts prison system, I was invited to participate in one of these three-day workshops, held at Green Bay Correctional Institution last April.

Judge Geske's process centers on circle reflection, an adaptation of a Native American practice that aims to elicit transformative insight through honest, nonjudgmental conversation among participants. At this workshop there

Christian belief holds that even if past wrongs cannot be undone or forgotten, they can be redeemed. Such redemption, if it is to be real, must begin here and now-and in a context of community. As Thomas Merton, O.C.S.O., observed, "No man goes to heaven all by himself, alone." Recognizing that "We're all broken, but we aren't alone" resonates with the Eucharist, in which Christ is broken and given in the great act of redemption. This truth applies not only to inmates in maximum-security prisons but to every one of us: broken and sinful, yet beloved and called by God into a future of hope, promise and reconciliation.

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were 25 inmates, several women whose lives have been irrevocably changed as a result of crime and a number of law students from Marquette.

On the first day, workshop leaders defined and explained the concept of restorative justice; then small groups discussed the harmful ripple effect a criminal act often creates. The focus was not only on the negative consequences of our harmful actions, but also on the responsibility we bear for them.

Participants heard from three different crime victims: a mother whose son was killed by a drunk driver, the widow of a police officer slain in the line of duty and a wife and mother who had been abducted and raped at knife point. These speakers preferred to be called victim-survivors, to make clear that they are not confined to the passive role of victim-only. In their compelling stories, the women communicated some of the harm they and their loved ones have suffered at the hands of others. As the inmates listened in rapt silence, some were moved to tears, horrified by what they heard. Their emotions ran from anger at the perpetrators to guilt and deep remorse for the effects their own crimes have had on innocent people.

The final day opened with a roundtable discussion of insights the inmates had gleaned from the previous day. These insights were then expressed through art, music and story. Participants performed small group skits, imaginative (and sometimes humorous) portrayals of how individuals locked in destructive behavioral patterns might arrive at more constructive ways of living. Though inmates wrestled with guilt and forgiveness, they expressed hope for the future and made practical commitments to behavioral changes. Even those without the possibility of parole agreed to make positive changes in their relationships with fellow inmates, the staff and their families and in how they viewed themselves.

After the Workshop

Restorative justice workshops can achieve several things. First, they are important milestones for victim-survivors. Speaking to a room full of offenders opens up avenues for healing-both for themselves and for the inmates present. All three speakers at the Green Bay workshop said they find it life-giving not to be reduced to silence or left to wallow in their suffering and resentment. This healing goes both ways: "I want you to know that there are people out there in the community who care about you," one speaker told the inmates. Their respectful listening, in turn, was important for the victim-survivors,

who expressed hope that the inmates would see the profound effects of their crimes and be less likely to repeat them in the future. “If my talking here prevents one person from being a victim of a violent crime in the future,” a victim-survivor said, “it will have been worth my effort.”

Second, this workshop was the first time most of the inmates heard about the ongoing toll of crime from an actual victim, speaking in the first-person. Asking offenders-men steeled against any display of vulnerability or self-doubt-to reflect on their actions and share their insights with one another was also a significant challenge. For them, the hardest part was listening attentively to the suffering of the innocent.

Since the criminal justice process focuses narrowly on crime as a violation of the law, it easily loses sight of the victims. The adversarial nature of the legal process also undercuts the likelihood that perpetrators will grasp what their victims have endured and how they may continue to suffer. Even when victims speak at a sentencing hearing, their testimony is often used to justify the punishment of the perpetrator, not to repair the damage done to the victim.

By contrast, the testimonies of victim-survivors in the workshop setting help inmates to see the cascading effects of their actions. Many offenders admitted at the workshop that they had never seriously considered the human impact of their crimes. This may sound strange, but we must ask, how often do most of us know (or want to know) the full negative impact of our own wrongdoing? The same holds true for those convicted of armed robbery, rape or murder.

Third, the workshop offered a forum for inmates to talk about their own troubled backgrounds. The pain of the crime victims summoned forth their own pain: a young teenager beaten severely by the gang members who ruled his neighborhood; a 5-year-old who watched as his mother was beaten and raped; a man who at age 9 was raped at knife point by his favorite teacher and then threatened with death to keep silent; a 13-year-old whose sister became a prostitute to feed her crack habit, only to be murdered on the street.

It is undeniable that those who damage others have often experienced damage themselves. This fact evoked compassion among the inmates for one another and also for the victim-survivors. Yet not a single inmate invoked childhood trauma to exonerate himself or to mitigate his responsibility. Nor was the

telling of these stories an occasion for comparative suffering. Rather, it was a cathartic release of emotional energy elicited by inmates entering-however briefly-the trauma of another. Mutual sharing changed the way in which these offenders saw themselves and one another. “Because of you,” an inmate told a victim-survivor, “I can now face my demons.” “I want to thank you,” said another, “for giving me my humanity back.” The survivors’ testimony freed the men to acknowledge their own waves of frustration and disgust, anger and rage, guilt and shame. The compassion they felt for the victim-survivors and for one another deepened past sorrow to new resolve and responsibility.

For me, the workshop’s defining comment was made on the final day: “What I learned this week,” one inmate said, “is that we’re all broken, but we’re not alone.” This man, at 30-something, is enmeshed in a prison culture that views vulnerability as a weakness and an invitation for trouble. Yet he sees that he has been broken by his upbringing and his own bad decisions and need not pretend otherwise. He came to see that brokenness is a common human condition. His words articulated what many had discovered: a new sense of solidarity among those scarred by life and a new capacity for friendship with one another.

The Redemption Dimension

The restorative justice workshop was not itself a religious activity, yet many of the inmates expressed their faith in God and a desire to live rightly. Far from seeking “cheap grace,” offenders confessed that they deserve to be incarcerated; a few even claimed to have “no right to be forgiven” for their offenses. Still others expressed a hope that they will someday be included in the care of the divine physician who came to heal the sick, not the healthy. As one convict put it, “When you are down to nothing, God is up to something.”

This workshop helped the inmates acknowledge their brokenness so that they could begin to lead lives guided by love rather than by fear and shame. As Jean Vanier and Stanley Hauerwas observe in *Living Gently in a Violent World*, “We cannot really enter into relationship with people who are broken unless somehow we deal with our own brokenness.” By beginning to deal with their brokenness, inmates tapped into their heartfelt desire for healing-for their victims first and foremost, but also for themselves.