

# ALTERNATIVE

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## Restorative justice in intercultural settings: practice guidelines in a nutshell

For RJ practitioners dealing with intercultural conflicts

**DOWNLOAD THE PRACTITIONERS' MANUAL** [Biffi, E., & Chapman, T. \(2015\). \*Restorative Justice Responses to Conflicts in Intercultural Settings: Practice guidelines\*. Leuven, Belgium: European Forum for Restorative Justice.](#)

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# RESTORATIVE JUSTICE IN INTERCULTURAL SETTINGS: CONCEPTS

## WHAT IS SPECIAL ABOUT 'INTERCULTURAL CONFLICTS'?

- ◆ They have harmful effects on both individuals and communities
- ◆ Culture is used to frame conflicts, while their root-causes may be different
- ◆ They are a reflection of wider social issues and inequalities
- ◆ They are often petty incidents of discord accompanied by disrespect
- ◆ They may lead to polarisation of communities and exclusion of people
- ◆ Polarisation and exclusion can lead to radicalisation and violent extremism

*People's social and cultural background functions as the lens through which the parties perceive a conflict.*

*It has a strong influence on the way people react, manage, perpetuate, worsen, communicate about, resolve and/or transform a conflict.*

## WHAT IS RESTORATIVE JUSTICE (RJ)?

- ◆ RJ is a communication process, helped by a facilitator, actively involving all parties affected by the conflict in finding a solution
- ◆ The aim is to identify, understand and transform conflicts
- ◆ RJ explores the willingness to address conflicts and improves capacity to handle conflicts

### RJ KEY PRINCIPLES

Voluntariness  
Respect & Dignity  
Inclusion  
Active participation  
Dialogue  
Empowerment  
Restoration  
Transformation  
Facilitator's multipartiality

## WHY USE RJ IN INTERCULTURAL SETTINGS?

- ◆ RJ is suitable for different types of harms and can prevent the escalation of conflicts
- ◆ RJ helps to dissolve barriers of difference and respects the other's humanity and dignity
- ◆ RJ enhances democratic societies and values (equality, inclusion, respect, accountability)
- ◆ RJ transforms conflicts and enhances people's feelings of security
- ◆ RJ uses comprehensible procedures and terminology
- ◆ RJ includes all parties and focuses on everyone's viewpoint
- ◆ RJ aims at the participants' active participation in decision making process and empowerment
- ◆ RJ facilitates the understanding of the complexity of narratives
- ◆ RJ practitioners are trained in managing (intercultural) conflicts
- ◆ RJ reduces the costs of security responses (policing, criminal justice)

# RESTORATIVE JUSTICE IN INTERCULTURAL SETTINGS: RJ INTERVENTIONS

## WHICH RJ MODELS CAN BE USED IN INTERCULTURAL SETTINGS FOR IDENTIFYING, UNDERSTANDING AND TRANSFORMING CONFLICT?

### **RESTORATIVE CIRCLES:**

groups engage in a structured dialogue, possibly with civil society and state authorities, to develop relationships and address conflicts.

### **COMMUNITY CONFERENCES:**

a large group of people affected by a conflict is invited by facilitators to engage in a restorative dialogue to generate solutions.

### **MEDIATION:** two

individuals or groups involved in a conflict are invited by facilitators to meet (directly or indirectly) to solve the conflict and possibly find an agreement.

RJ interventions include not only **TRADITIONAL RJ PRACTICES**, but also other initiatives aiming at the **promotion of restorative thinking**. People should be familiar with RJ: awareness is needed to initiate RJ processes.

### **ALTERNATIVE used RJ elements in the following activities:**

- ◆ Community workshops
- ◆ Informative seminars on the potentials of RJ
- ◆ Consultation on restorative practices, e.g. via thematic forums on social media
- ◆ Creation of restorative teams composed by inhabitants and organisations for raising awareness and implementing RJ in the local communities with public and professionals
- ◆ Training for children in schools and follow-up meetings with teachers
- ◆ Film-making and film-screening for encouraging restorative dialogues

### **ZOOM IN ON COMMUNITY WORKSHOPS**

- ◆ **Format:** individual and group work, drawings, meditation/relaxation exercises, presentations, discussions
- ◆ **Contents:** capacity building, non-violent communication, active listening, active participation, conflict management, conflict narrations, conflict resolutions, RJ, addressing real cases of conflict and considering all parties' needs and feelings
- ◆ **Outcomes:** active listening, ability to describe perceptions, capacity for introspection, more solidarity and closeness and respect, recognition of similarities in diverse experiences, recognition of the other, acceptance of differences, empowerment, acceptance of responsibility, focus on present moment, ability to propose constructive solutions, possible reconciliation

# RESTORATIVE JUSTICE IN INTERCULTURAL SETTINGS: PRACTITIONERS' SKILLS

## WHAT SKILLS DO YOU NEED TO BE A 'CULTURALLY COMPETENT' PRACTITIONER?

- ◆ Awareness about the existence of socio-cultural differences and about societal surroundings
- ◆ Sensitivity and expertise about other cultures and societal responses to them
- ◆ Awareness about stereotypes and prejudices influencing communication & conflict resolution
- ◆ Empathy, acceptance and appreciation of different cultural backgrounds and heritages
- ◆ Awareness about uniqueness of individuals
- ◆ Awareness of your own culture and biases, beliefs, feelings, values
- ◆ Creativity and flexibility
- ◆ Personal abilities, life experience, practice: 'learning by doing model'

## WHAT SKILLS DO YOU NEED TO BE A RJ PRACTITIONER?

- ◆ Good quality training on RJ practices
- ◆ Ability to create a safe space between the parties in conflict
- ◆ Ability to active listening and to understand non-verbal communication
- ◆ Ability to use clear and simple language and be transparent about the purposes of RJ
- ◆ Ability to formulate open questions and facilitate the dialogue between the parties
- ◆ Ability to identify root causes of conflict and points of agreement
- ◆ Ability to summarise the main points and to plan future actions constructively
- ◆ Ability to report the conflict and the RJ process

*Every conflict has its own specific history to which the multiple and competing parties add complexity.*

### CHALLENGES OF RJ IN INTERCULTURAL SETTINGS

Language barrier  
Lack of specific training for practitioners  
Lack of diversity in the cultural background of practitioners  
Different cultural perceptions, e.g. of conflict, time, dialogue  
Association of RJ with criminal justice systems in Europe  
Limited structures to address systematically all type of conflicts

# RESTORATIVE JUSTICE IN INTERCULTURAL SETTINGS: STEP BY STEP I

## HOW TO APPLY RJ IN INTERCULTURAL COMMUNITIES?

### BE PATIENT AND DO IT... STEP BY STEP

- 1. BUILD TRUST:** attend events and activities and spend enough time in the community
- 2. BE CLEAR AND TRANSPARENT:** avoid false expectations about RJ and about your competences
- 3. CREATE LOCAL PARTNERSHIPS:** make allies with those closest to the conflict (not necessarily with those RJ-minded); well-established organisations help and give credibility to your new initiative
- 4. MAKE AN AGREEMENT** with your partner organisations to define common goals, divide tasks and responsibilities and plan a timeline
- 5. ESTABLISH A LOCAL GROUP OF SUPPORT:** involve community members in the design and implementation of your intervention
- 6. GATHER INFORMATION:** organise regular meetings with the local support group to plan and discuss the initiative
- 7. KEEP TRACK OF THIS INFORMATION:** a diary is helpful
- 8. UNDERSTAND AND ASSESS** the complexity of the local situation and how this affects the conflict
- 9. RAISE AWARENESS ABOUT RJ:** keep in mind that this is often an unfamiliar process and it needs to be normalised for people to use it

# RESTORATIVE JUSTICE IN INTERCULTURAL SETTINGS:

## STEP BY STEP II

10. **IDENTIFY A CONCRETE TOPIC OF DISCUSSION**, or conflict, that relates to all parties: be ready to integrate new topics and situations during the communication and intervention phases
11. **EXPLORE DIFFERENT RJ INTERVENTIONS**: identify if the conflict should be tackled at the individual or broader societal level
12. **CHOOSE A RJ INTERVENTION** matching the specific conflict situation encountered in the community: keep in mind the necessary flexibility in methodology
13. **PREPARE ALL PARTIES** with sufficient, accurate and transparent information about the RJ intervention
14. **BE PREPARED TO READ NON-VERBAL SIGNS** and deal with different levels of verbal competences in communicating
15. **INVOLVE OTHERS IN THESE PRACTICES**, if possible: involving others as observers is helpful to raise awareness on RJ and encourage further trust and collaboration
16. **ACCEPT** that dialogue among conflicting parties is a goal by itself and accept if parties do not want or disagree with the RJ intervention
17. **BE READY FOR UNEXPECTED CHANGES**: flexibility and creativity is useful
18. **ASK FOR FEEDBACK AND SUPPORT** from supervisors and, if possible, work in pairs
19. **KEEP TRACK OF YOUR EXPERIENCES AND PRACTICES**: write a report include a brief summary of the conflict and the RJ process and a simple assessment of parties' satisfaction
20. **FOLLOW-UP**: after few months, check how the conflict evolved and make a follow-up report

# RESTORATIVE JUSTICE IN INTERCULTURAL SETTINGS: THE ALTERNATIVE PROJECT

## WHAT'S ALTERNATIVE?

- ◆ ALTERNATIVE was a European FP7 research project (02/2012-01/2016) focusing on the interactions between ethnic, religious and national groups in local communities in Austria, Hungary, Serbia, Northern Ireland
- ◆ ALTERNATIVE proposes the use of restorative justice approaches, such as dialogue and active participation, between individuals and groups in 'intercultural' conflicts to increase feelings of security and justice in European democratic societies

## CONCEPTS IN ACTION

Conflict  
Intercultural settings  
Restorative justice  
Security  
Justice  
Community  
Identity  
Civil society

## WHAT DID WE LEARN IN ALTERNATIVE?

- ◆ Diversity is an opportunity, not a threat, and it should be a reason to engage in communication
- ◆ Personal communications and stories are important to bring people together, understand differences and humanise the conflict
- ◆ Dealing with low level everyday conflicts prevent escalation and increase a sense of security and tolerance
- ◆ Silence and expressions of resistance are welcomed and important and are not obstacles for RJ to take place
- ◆ RJ may not solve structural inequalities, discrimination and racism in intercultural societies: additional interventions are needed
- ◆ RJ practitioners are experts in dealing with conflicts but community workers are closer to those conflicts: collaboration is needed
- ◆ The neutrality of the RJ practitioner is not to be interpreted as indifference: he/she still must be aware about social issues behind the conflict
- ◆ Empowerment of people by education and dialogue can be more successful in increasing perceptions and realities of security and justice
- ◆ Education is crucial: conflicts can be prevented by teaching people to use non-violent communication techniques
- ◆ Research helps to enter the field, build trust and create alliances with local partner organisations

# ALTERNATIVE

**PROJECT ALTERNATIVE** Developing alternative understandings of security and justice through restorative justice approaches in intercultural settings within democratic societies

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This project is funded by the Seventh Framework Programme of the European Commission