# *Deepening Knowledge, Enhancing Instruction: Including Aboriginal World Views and Ways of Knowing in Teacher Education*

# Pilot Lesson for Teacher Education Seminar on Restorative Justice

Developed by Nicole Bell

## *Purpose*

To assist Teacher Candidates in understanding the Anishinaabe perspective on restorative practice. To challenge Teacher Candidates to appreciate that each culture has teachings/theories about human interaction and that for Indigenous people it is often fundamental to ensure healthy relationships are maintained or restored.

## *Activities:*

1. Distribute copies of “Understandings of Conflict Resolution” to students for individual completion. In the large group process the outcome ie: Where were most peoples’ check marks, on the left column or the right column? Explain that the left column reflects a *retributive lens* regarding the resolution of conflict while the right column reflects a *restorative lens*. Our current society tends to use a retributive lens toward resolving conflict and so can often be found in our schools. There is a movement in the school system to operate from a restorative lens which has been informed by Indigenous traditional practices regarding human interaction.
2. Introduce the restorative circle: the process of bringing people together to explore ways of repairing harm that has taken place.
3. Expert groups – In five groups, each group studies an excerpt from “Five Key Elements of Transformation: Within the Philosophy of Restorative Justice”. After discussing the excerpt in relation to what was found in the first activity, each group creates a metaphor on flipchart paper to communicate their understanding to the large group. In creating their metaphors, the group should consider the significance of their ‘element’ in a school setting.
4. Each group brainstorms a restorative outcome for one of the ‘School Scenarios’. Challenge the groups to ensure their resolution ideas are not retributive. They can refer to the list in the first activity as a checklist.
5. Review the process for a circle by using the handout titled ‘The Restorative Circle Process’.
6. Each group role plays a circle for the scenario they explored in activity 4. Provide each group with a stone to use in the circle. One person will play the role of facilitator. Others will play the role of ‘offender(s)’, ‘victim(s)’, and support people (such as parents). They are to follow the steps on the handout ‘The Restorative Circle Process’. Discuss as a large group any reactions, comments, queries about the circle process.

## Notes Regarding Pedagogy

A variety of Indigenous pedagogical practices are employed in this lesson and are described below.

Starting with self: What you already know or feel is an essential place to start with learning, and the first activity achieves this.

Role Playing: Role play allows one to use the body to anchor the learning, to relate to the learning, to figure out the learning, and to ‘do’ something with the learning to get to a place of wisdom. This process reflects the learning process on the medicine wheel.

Expert Groups: Specialized skills to serve the community were always valued in the Aboriginal community. This helped to ensure that all the community’s needs were met.

Metaphor: Many Indigenous people see, think, feel, and communicate using metaphors. Since relationships and relationality are foundational components to an Indigenous worldview, metaphors provide the opportunity to express the perceived relationships and help to articulate complex concepts.

## Understandings of Conflict Resolution[[1]](#footnote-1)

Review the two points beside each other and place a check mark beside the one you espouse to the most regarding situations of conflict in a school setting. Imagine what you would prefer regarding a problem-solving process/practice and outcomes. Continue comparing and choosing one statement until the end of the list.

|  |  |  |  |
| --- | --- | --- | --- |
|  | Blame-fixing is central |  | Problem-solving is central |
|  | Student needs are secondary to a resolution |  | Student needs are primary to a resolution |
|  | Imposition of pain considered normative |  | Restoration and reparation considered normative |
|  | One social injury is added to another |  | Emphasis on repair of social injuries |
|  | Harm by offender is balanced by harm to offender |  | Harm of offender balanced by making right |
|  | Focus on offender; victim ignored |  | Victims’ needs are central |
|  | Victims lack information |  | Information provided to victims |
|  | Restitution rare |  | Restitution normal |
|  | Victims’ “truth” secondary |  | Victims given chance to “tell their truth” |
|  | Victims’ suffering ignored |  | Victims’ suffering lamented and acknowledged |
|  | Offender has no responsibility for resolution |  | Offender has responsibility in resolution |
|  | Outcomes encourage offender irresponsibility |  | Responsible behavior encouraged |
|  | Rituals of personal denunciation and exclusion |  | Rituals of lament and reordering |
|  | Offender denounced |  | Harmful act denounced |
|  | Offender’s ties to school weakened |  | Offender’s integration into school increased |
|  | Sense of balance is obtained through retribution |  | Sense of balance is attained through restitution |
|  | Balance is righted by lowering offender |  | Balance righted by raising both victim and offender |
|  | Resolution is tested by intent and process |  | Resolution is tested by its “fruits” |
|  | Resolution is about right rules |  | Resolution is about right relationships |
|  | Victim-offender relationships ignored |  | Victim-offender relationships central |
|  | The process alienates |  | The process aims at reconciliation |
|  | Response is based on offender’s past behaviour |  | Response is based on consequences of offender’s behavior |
|  | Repentance and forgiveness discouraged |  | Repentance and forgiveness encouraged |
|  | Competitive, individualistic values encouraged |  | Mutuality and cooperation encouraged |
|  | Ignores social, economic, and moral context of behaviour |  | Total context relevant |
|  | Assumes win-lose outcomes |  | Makes possible win-win outcomes |

## Five Key Elements of Transformation: Within the Philosophy of Restorative Practice[[2]](#footnote-2)

**Group 1: The first element is Community**

The greatest security we can have is a healthy community. The essence of community is brought to life by relationships. Relationships bring meaning into our lives. Relationships provide us with identity, purpose, meaning, direction. In essence, relationship, and therefore community is a life-giving, life-defining, life-nurturing process. Community is the interconnectedness of everything. No living organism within the universe survives without relating to the Other. We are in relationship with everyone: our family, our friends, our colleagues, our neighbourhood, town, city, country, and planet. Understanding the essence of community immediately introduces us to the exploration of relationships and their meaning for humanity. When we speak about a person who has come into conflict in life, it is impossible to talk about them without referring to the absence of healthy life-affirming relationships. Conflict on the social level is about the denigration, the deterioration, and ultimately the neglect of relationships. Neglect of relationships is very often a product or retributive practice. (Retributive justice is our current ‘justice philosophy’ which assigns punishments that are considered to be morally right and fully deserved.)

Retributive justice first and foremost is an oxymoron. Retributive does not, and will not create justice. Rather retributive justice increases the devolution and disintegration of community. Retributive justice focuses on assessing lame to individuals. Once achieved, the process then characterizes guilt to exact punishment. Punishment often highlights an individual’s flaws and deficiencies, characterized by language such as “bad”, “mean”, “offender”. These labels tend to define the entire person. In essence, we stigmatize in order to make the person stop committing wrongs.

Finally, retributive practice segregates from community by its explicit efforts to isolate and remove the “guilty” person from that community. Sadly this isolation (perhaps in the form of suspensions, expulsions, incarceration) tends to have the reverse impact on addressing the harm: the greater the amount of isolation, the greater the likelihood of the person re-committing the wrong.

Prof. Anthony Doob (University of Toronto) conducted a study that concluded that youth receiving a custody sentence were seven times more likely to re-offend that those who did not. Additionally, the Canadian Federal Department of Justice stated: “incarceration was overused…Sentencing decisions resulted in unfairness in youth sentencing…YOA did not ensure effective reintegration of a young person after being released from custody.”

Community at its zenith is about integration, not isolation. It is about celebrating capacities, not admonishing weakness. Community is about seeking creative compassionate ways to relate with one another, flaws, strengths, and all.

The opportunity in restorative practice is to constantly ask and demonstrate ways to create meaningful relationships and community, particularly in times of conflict and crisis.

**Group 2: The second element is Capacity**

The capacity of any human being is never created or nurtured in isolation. Capacity is created in and through relationships of one being with another. Capacity has many powerful opportunities to challenge anyone authentically engaging in the process of restorative practice.

* Let go of favourite ways of thinking.
* Do not be prescriptive in the attempt to resolve the issue one is dealing with.
* Invite others into the circle of capacity building.

The invitation of others into a restorative practice process must be understood as an invitation for people to contribute their gifts, talents, insights and abilities in ways that can bring about or support the well-being of all involved in the process. When people are invited to participate in this way, true meaningful action and accountability is created.

The strength that is created here comes from everyone mutually developing the process and the outcomes, rather than having the outcomes imposed by a higher authority. This is a strength-based element rather than a deficiency-based element. If the goal is sustaining healthy community, then one key is to encourage the capacity of everyone to flourish, especially in times of conflict. In the event of a person hurting another person, the goal is not to hurt the person back. Rather the pursuit is to explore how we draw on each other’s capacities to help repair the harm that has been done. When capacity is explored, there are some immediate outcomes. People are not alienated and isolated, rather they are drawn together to repair harm.

Peoples’ creativity is explored with the statements of ‘We can…’ or, ‘I am able and willing to…’ People, whether the person who committed the harm, or the one who has been victimized, now have the opportunity to demonstrate strengths rather than shrink under shadows of retributive shame through a myopic focus framed within labelled limitations. Limitations are generated through the imposition of Shoulds.

Shoulds are the antithesis of capacity. When one is told what they should do, the effect is to deplete energy. The imposition of should has the affect of “shoulding all over the person”. The outcomes of “shouldings” are feelings of: anxiety, incapacity, despair, guilt, low self-esteem.

The outcomes of exploring capacity are the enhanced experience of ability, energy, and self-worth. When we focus on capacity, everyone is invited to contribute to the reparations of the harm that has been done. When capacity is explored, new and healthy relationships are formed. Remember: nothing meaningful is ever created in isolation. Capacity is realized in the circle process. People connect with and to their emotional, cognitive and spiritual levels and see these elements in relation to everyone else within the circle.

**Group 3: The third element is Connection**

Disconnection is without doubt the purest manifestation of people in conflict. The Hopi Nation have a word Koyaanisqatsi which translates: ‘crazy life, life in turmoil, life disintegrating, life out of balance, a state of life that calls for another way of living’. Perhaps Koyaanisqatsi could be applied to our planet as a whole in present day experience. Just look around; what do you see? Retribution is aligned with “life disintegrating”.

People who harm others are often disconnected from empathy for others. Often, they do not see themselves as having had a significant impact in the lives of others. Often they are instructed (by authority figures) not to contact people affected by their behaviour and not to demonstrate empathy to the people affected by their behaviour.

Connection, on the other hand, offers us the opportunity to explore and integrate “another way of living.” Through connecting in a circle process, there is a fundamental shift from “I” to “We”. In the circle process, people connect/reconnect with:

* Their comprehension of the impact of their behaviour on others,
* Their capacity to empathize with others,
* Their ability to create ways – collaboratively – to repair the harm that has taken place,
* The truth of what transpired (the harmful behaviour), rather than competing for the proof of what transpired.

There comes a point in the circle process, the “ah ha” moment, when participants realize that everyone is connected to everyone else. People are not isolated from one another. Through the circle process, they move into a transformative connection, because everyone does matter. That “ah ha” moment can only take place when everyone listens to everyone else.

**Group 4: The fourth element is Voice**

“There is a world of difference between waiting to speak and listening.” The significance of voice in the circle process cannot be overstated. Voice has two immediate compelling outcomes: 1) People are allowed to express the truth of their experience, and 2) Everyone listens to the person speaking. Often the most powerful outcome of a circle is the simple experience of being listened to for the very first time. When a person feels heard, truly heard, they also experience acknowledgement.

A person’s experience is validated by having others hear and therefore feel their story. It takes great courage to tell a story where you have harmed others, and you want to acknowledge the pain you have caused. One person who had caused others great pain stated: “You learn on a very deep, emotional level the impact you have had when you hear the voice of each person in that circle. By the time everyone has spoken, you arrive at a place that is much deeper than you would have ever thought possible. There is a voice that comes from within when you are trying to say you are sorry, not from the surface, but from way deep down within yourself.”

Equally, it takes great courage to move past a state of being victimized, to a place where you can tell others of your experience, and to see that you are not limited by the label of ‘victim’. You can be a person with a strong, powerful voice; a voice that is heard by others, and felt by others. “As well as being someone who has caused harm, I have also been a victim. The greatest feeling I can have is letting go of the hate, anger and pain I feel towards those who harmed me. Now I am able to let all that go, because I was able to say out loud, ‘Listen, I am hurting, and I have been carrying it for so long (this pain and anguish), it no longer belongs to me. I am letting it go.”

Voice is a relational experience. When someone is speaking, there is always someone in the circle, who is listening. Voice, in a circle process, is a truth-telling experience. There is no debate about a person’s voice in the circle experience. Rather, it is the opportunity for empathy and understanding to find their place in helping repair the harm that has taken place. Voice nurtures the open space for empathy to surface. It does not demand empathy, or demand that empathy be imposed. Voice nurtures and provides us a way to create meaningful, powerful, transformative states.

**Group 5: The fifth element is Sacredness**

In a culture that directly or indirectly supports retribution on a daily basis, there is an assumption that people cannot/will not meet in a circle to explore ways to repair harm that has taken place. This assumption is based on a deep belief that either people will be insincere, or that there will be some kind of outburst of exploitation. In other words, many people don’t believe that the circle can happen. It is too unrealistic for the “real world”.

However, people can be even more deferential in the “real world”. Perhaps people are very much wanting and seeking another way of living, another way of dealing with the trauma that has come into their lives. The sacredness of the circle is created by everyone in the circle. This is because underneath it all, people, from the very core of their being, began their own story from a place of Goodness. What the circle process does is reinforce the seeking out and experiencing of Goodness. There is a profound caring for others that takes form as the circle process unfolds.

## School Scenarios

Molly (grade 5 student) is shunning Julie (grade 5 student in the same class) because Julie doesn’t want to wear matching clothes to show that they are best friends. Molly has now gathered another group of female friends who are also leaving Julie out.

John (grade 2 student) begins to tease Billy (also a grade 2 student). Max is also a grade 2 student who hears the teasing and comes up to John and pushes him away from Billy.

Carol (grade 6 student) has not contributed to a group assignment that she was to do collaboratively with Jennifer. The teacher has noticed Carol not doing very much of the work and confronted Jennifer at which point Jennifer shared that she has done all the work because Carol has refused to.

Greg (a grade 3 student) lives next door to Mark (a grade 6 student). Greg is aware that on the weekend Mark’s dad was drunk and yelling at Mark’s mom on the front lawn. Greg has gone to school and shared this information with a few other friends. Mark has found out that others in the school now know what happened at his home on the weekend.

A mixed group of boys and girls from various junior grades are throwing insults at another group of junior mixed boys and girls of Aboriginal ancestry. The insults consist of things like: “your parents are all drunks”, “what are you going to do about it, have a protest”, “Indian giver”, etc.

## The Restorative Circle Process[[3]](#footnote-3)

Everyone is to sit in a circle

**Step 1:**

Facilitator says: “Welcome and thank you for coming to the circle. As you all know my name is \_\_\_\_\_. I will be facilitating the circle today. I would first like to underline the reason that we all agreed to be here today and that is: we, all of us, want to participate in a process that can help repair the harm that has taken place. To do this, our circle will be guided by the principles of respect, community, and creativity. As we agreed in the meetings prior to this circle, each person will be allowed time to tell how this incident has affected them and what steps can be created to repair what has happened. We will all have a few times to speak. To this end, we have all agreed to hear the voice of each member without interrupting them. The only person talking should be the person holding this stone – everyone else should be listening. I will now have each member of the circle introduce themselves with the talking stone.”

Facilitator passes the stone to the person beside them. Everyone introduces themselves when the stone is passed to them.

**Step 2:**

Facilitator says: “Thank you everyone. Now that we know who everyone is, let’s begin by sharing what has happened. The stone will now be passed around again for each of you to share how you are involved in what happened; what you were thinking, feeling at the time the event took place; what has happened since the event occurred; who you have seen affected by this event; and anything else you would like to share. We would first like to hear from the people directly involved in the event, and then we will hear from others. Please remember that we are not here to cause any more harm and so we must speak respectfully toward each other and believe that we are all good people even if we have chosen to not do a good thing.”

The questions that each member is to think about and respond to can be printed on paper and placed on the floor in the middle of the circle. The facilitator may need to remind members of the questions if not enough information has been provided; however, it is up to each individual how much they would like to share. Every circle member now has the opportunity to share and the stone will return to the facilitator.

**Step 3:**

Facilitator says: “We have had the opportunity to hear from everyone involved in the event and how the event has affected them. Now before looking at the steps that we can create to help repair the harm that has taken place, I would like to ask if anyone has anything else they would like to share to anyone in the group”.

The facilitator passes the stone to anyone who expresses an interest in sharing.

**Step 4:**

Facilitator says: “Thank you all for sharing. Having heard from everyone here today, we will now take the time to hear how everyone can begin to create ways to help repair the harm that has taken place. We will start by hearing from those how have been harmed by what has happened. We would like you to share what you need to have happen to repair the harm or what you see yourself as being able to do to help repair the harm that has taken place.”

The stone is passed to the person who seems to have been most harmed by the event, then to others harmed, and ends with those that have caused the harm. The facilitator should capture the ideas on a piece of paper for review later.

**Step 5:**

Facilitator says: “Thank you all for sharing. Here is what I have heard about what needs to be done to repair the harm.” Review the ideas collected and state them in an orderly way. “Is everyone pleased with these outcomes? Do they meet peoples’ needs and demonstrate responsibility? Does anyone have any other ideas?” Pass the stone to anyone who has something else to share. “So this is what we have agreed to…. I now need everyone to sign what we have agreed to.” Have everyone sign the list of actions created. “Thank you for being in the circle and helping to create good outcomes. Is there anything else anyone would like to share?” Pass the stone to anyone else who would like to share.

**Step 6:**

Facilitator says: “In bringing the circle to a close, I will pass around the stone for each of you to make a closing comment if you would like. If you do not wish to make a comment please just say ‘pass’ and pass the stone to the person beside you.” Once the stone returns to the facilitator, he/she says “Thank you again for being in the circle. Kindly help yourself to the refreshments”.

Some simple refreshments would be available. This stage in the process is often where some magic takes place. People simply continue the conversation that has evolved, and at times, new suggestions are created within the spirit of community, respect, and creativity.

It is important that whatever action steps are created, that the people who create those steps are also the ones responsible for carrying them out. It is not necessarily the role of the facilitator to ensure the steps are carried out. The intention here is that the participants are the ones who must ensure maintenance of the needs and responsibilities. The facilitator should contact, at a pre-arranged date, the persons who have agreed to monitor the outcomes to see if the outcomes have been realized.

1. Adapted from “Understandings of Justice” from *Justice as Healing,* vol 2, no. 4 (winter 1997) [↑](#footnote-ref-1)
2. Adapted from Restorative Justice: Transforming Society by A. Lockhard & L. Zammitt, 2005. [↑](#footnote-ref-2)
3. Adapted from Restorative Justice: Transforming Society by A. Lockhart & L. Zammitt, 2005. [↑](#footnote-ref-3)