

CONFLICT TRANSFORMATION & HARM RESPONSE

Conflict is an inevitable part of the human experience, but harm does not have to be. Healing-based models of conflict transformation and harm response address root causes to bring people into greater harmony and connection. Restorative Justice, Transformative Justice, community accountability, and non-legal conflict mediation seek to humanize all parties, maximize communication, and create pathways for change, reconciliation, closure, and healing that are sustainable.

These methods offer alternatives to the criminalization of harm and wrongdoing. Specifically, they present alternatives to police and prison, and many practitioners are abolitionists.

The Criminal-Legal System asks . . .	Healing-Based Justice asks . . .
What law or rule was broken?	What happened?
Who did it?	Who was harmed?
What should the consequence or punishment be?	Who else was impacted? What needs to happen to make things right?

The existing system is based on retribution, or payback, and punishment. It pays lip service to the victim or survivor, but is mainly focused on the person who committed the crime. Healing-based methods of justice focus on the community as a whole. The people who were harmed might also include the person who caused the harm, and their human needs and flaws are taken into consideration.

In the United States, RJ is implemented in a diverse range of settings:

- **Schools:** as a trauma-informed approach to reducing punitive measures like suspensions and expulsions, which often disproportionately target students of color and students with disabilities, contributing to the school-to-prison pipeline
- **Prisons and Jails:** victim offender dialogue and reconciliation with victims/survivors of crime
- **Juvenile Justice:** diversion for low-level offenses through community conferencing and developing agreements as an alternative to serving a criminal sentence
- **Community-based organizations, neighborhood associations, collectives and non-profits:** methods to strengthen relationships, build sense of safety, trust, and connection

*There's no such word for offender in our language. The word we use is "unhealed."
- Faith Tait of the Nisga'a Nation in British Columbia, Canada*

Principles of Restorative Justice

Restorative Justice reflects the belief that justice should do five things:

1. Invite full participation and consensus.
2. Heal what has been broken.
3. Seek full and direct accountability.
4. Reunite what has been divided.
5. Strengthen the community, to prevent further harms.

-- Howard Zehr

Practices

Restorative Justice does not always have to happen in a circle format. RJ happens whenever the following practices are normalized, internalized, and present in a group:
Take Responsibility - Build Relationships - Respect All - Heal Harm - Everyone Gets a Turn to Speak - Involve Everyone Affected

The guidelines for RJ circles attempt to promote and celebrate these practices, primarily in the use of a talking piece, which is a symbol to share space and time, equalize voices, and allow everyone the chance to speak. People are also invited into a ritual, where listening means something different: to listen from the heart, and move towards empathy.

Healing-based methods of justice encompass different historical moments and school of thought. They uphold the values and practices of:

- Solving problems for the long term
- Keeping ourselves safe
- Honoring shared humanity

Two prominent traditions are RJ (restorative justice) and TJ (transformative justice). There are many shared and overlapping people, strategies, and tools. One way to understand the differences is as follows:

Restorative Justice	Transformative Justice
Seeks to repair the harm or heal what was broken	Political analysis that links oppression to the carceral state
Interpersonal focus	Systemic/structural focus
Uses circles as peacemaking tradition from Native people	Community accountability: community members are called in and empowered to support
Often focused on supporting people impacted by the criminal-legal system	Grounded in disability justice