Building Democracy: Implementing Restorative Circles in Brazilian Schools as a Non-violent Conflict Resolution Strategy

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Introduction

This chapter discusses a pilot project for the promotion of a culture of peace and restorative practices carried out in selected schools of the city of Porto Alegre, Brazil, as part of a larger initiative called *Justice Project for the 21st Century*. With sparse initiatives for the introduction of practices of the restorative justice in schools, the Justice Project was started in 2007, with the objective of evaluating the possibilities of acceptance of restorative practices in the promotion of peace culture in the school environment through the implementation of restorative circles in schools. Based on a diagnosis of participant schools, the unique realities of each were identified, including the expressions of violence which were displayed in their daily lives and the way of responding to problems. The research also followed efforts to sensitize the school community about the implementation of restorative practices in the non-violent resolution of school conflicts as well as the promotion of a peace culture (Galtung 1978; Hicks 1999; Guimarães 2005). Working from an action research approach, the researchers supported the self-organization of the schools involved in the pilot project for the development of internal conditions for the initiation, development and continuing evaluation of restorative circles.

Restorative Circles as a Democratic Process in Brazil and Worldwide: A Brief Review

When democracy is defined exclusively as majority rule, the interests of minority groups may not be addressed. Their rights may be protected, but their interests may be completely ignored. Restorative justice provides an avenue to redress this power imbalance by bringing more people to the decision-making process. For those whose position has the larger numbers there is little incentive to seek common ground or ways to ensure that the interests of all are served. Restorative justice practitioners believe that in order to have strong, cohesive communities, it is important for all legitimate interests to be understood and addressed in a voluntary, collaborative process rather than through adversarial,

legalistic processes. To gain commitment for the hard work of designing and implementing solutions to difficult problems everyone must feel included, respected and served by the process and the solution. Someone whose interests were not addressed in the solution will feel no obligation to make the solution work. In this project, school bullying was identified as a problem that generated opportunities to understand and practice democracy in the schools community in new ways. It has become clear that creating safe communities requires active citizen involvement. It calls for a re-engagement of all citizens in the process of determining shared norms, holding one another accountable to those norms and determining how best to resolve breaches of the norms in a way which does not increase risk in the community.

Pranis (2002) points out that several processes used in First Nations communities work toward consensual models and allow all interested parties to have a voice. Two core characteristics in these models push our concept of democracy beyond "majority rule": 1) inclusion of all parties who claim a stake in the outcome and 2) consensus based decision-making. Achieving consensus requires the group to pay attention to the interests of those who are normally powerless. Decisions must ultimately represent everyone involved or consensus will not be achieved. Consensus processes hold the potential for more fundamentally democratic results because all interests must be taken into account.

The peacemaking circle process, developed in Yukon, Canada, and adopted with local variations in several communities in Minnesota, USA, provides the clearest example of the potential of an innovative version of democracy for community problem solving. The peacemaking circle process is used to support victims, to encourage offenders to make amends and change behavior and to determine how to best address the underlying problems (individual and community) associated with the crime or wrongdoing. Circles in which decisions are made are open to all interested parties. Anyone may attend and anyone who attends will be able to speak and is expected to participate in decision-making. Opportunity to be heard and responsibility to contribute to a realistic, workable solution go hand in hand. Because decisions in the circle process are based on consensus, everyone in the process has an equal voice (Pranis 2002).

In the restorative circles carried out in Brazilian schools, this means that the teachers, the principal, the family, the student or any participant of the community who attends will be part of the group without a "professional label." Decisions must be acceptable to everyone. Therefore, they must address the interests of everyone to some degree. Decisions or plans addressing the interests of all participants have a far greater likelihood of success because every participant has something to gain by successful completion of the agreement. Consequently, every participant has a stake in success. This democratic process of decision-making contributes to the high rate of satisfaction (around 80%) among participants of restorative circles in Brazilian schools located at Porto Alegre, RS.

In our study, students noted that schools lack spaces of dialogue. Restorative circles can provide such space through the creation of democratic processes for problem solving without sending students to juvenile courts. In addition to the use of consensus, several aspects of the circle process resemble the democratic ideal of equal voice and equal

responsibility. For instance, participants are seated in a circle, which structurally conveys a message of equality. Likewise, titles are not used in the circle process, minimizing positional authority as a relevant element of decision-making.

Restorative circles, healing circles or peace circles are often used as synonyms in the literature, depending on the cultural context. Although in the last decades of the twentieth century, a significant number of studies in restorative justice have been done in North America, Australia, New Zealand, and Europe, evaluation studies of restorative practices are quite recent. The dearth of evaluative studies in this area is a challenge for us as researchers who are working in this field. We are conscious of the great diversity of the nature of restorative justice programs, the different social, cultural and economic conditions in which these practices take place, and the possibilities and limits in changing a punitive culture into a more restorative one. In its most idealized form, there are four "Rs" in restorative justice programs: repair, restore, reconcile, and reintegrate the offenders and the victims to each other and to their shared community (Menkel-Meadow 2007).

The basic assumption of restorative justice is that providing a structured environment in which offenders and victims met and explained their injuries and hurts to each other, offenders could acknowledge and explain their wrongful acts, apologize and make some sort of restitution to the victim who could forgive and feel safe again (Aguinsky and Brancher 2005). The participation of teachers, family and all community members who were affected directly or indirectly by the conflict creates the possibility of public accountability as well as an inquiry into the root causes of the wrongful act (not always a criminal one), and suggestions for solutions based on dialogue in order to meet the needs of both offenders and victims. Thus, restorative justice implies the recognition of diversity (Konzen 2007).

As a social movement, restorative justice was linked to community organizing, to criminal justice and civil alternative dispute resolutions as well as to the peace movement, seeking more humane outcomes (Menkel-Meadow 2007). In its early definition, restorative justice is defined as a "process that brings together all the parties affected by an incident of wrongdoing to collectively decide how to deal with the aftermath of the incident and its implication for the future" (Marshall 1998). The restorative circle is a safe and protected space that is guided by a coordinator where people who were involved in a violent or conflict situations, their families, friends and community meet together to find solutions for the problem.

In addition to restorative circles, there are many studies showing that peer mediation programs worked as a non-violent conflict resolution strategy. Bickmore's study (2000) focused on the Center for Conflict Resolution. The elementary conflict management program showed positive results on the Student Attitudes About Conflict (SAAC) survey after one year of implementation in Cleveland schools. She found that student's understanding and inclination towards non-violent conflict resolution increased significantly (+ 0.10), as did students assessment of their own capacity to handle conflicts in interactions with peers (+ 0.08). This indicates that, on average, the understanding and feelings of efficacy to handle conflict increased in the grade 3-5 student populations of CCR project schools.

In the United States, there are now thousands of school-based conflict resolution programs in rural as well as inner-city schools. Through these programs students, from kindergarten through High School, are able to learn a new way of solving their conflicts by listening to the other person's viewpoints and discussing their differences until a compromise can be worked out. According to Inger (1991), three-fourths of San Francisco's public schools have student conflict managers. In addition, in New York City, more than 100 schools with about 80,000 students have some kind of program. In Chicago, all students take a dispute resolution course in ninth or tenth grade. In New Mexico, a statewide mediation program involves 30,000 students. In Ann Arbor, a conflict management curriculum reaches all of the city's students.

In Brazil, peer mediation programs are not part of the school curriculum. Some NGOs have projects for implementing peace culture programs in schools, such as EDUCAPAZ (Educators for Peace), and work in partnership with State Secretary of Education. In the Brazilian reality, the introduction of restorative practices in the judicial system started in 2005 through support of the Ministry of Justice and PNUD (United Nations Program for Development) in order to qualify the services offered by this system. Restorative circles are carried out in several spaces such as institutions for adolescents deprived of freedom (law offenders), schools, NGOs, shelters and the community. In the three years of the implementation of the project called *Justice for the 21st Century*, 2583 people have participated in restorative procedures carried out by the Restorative Central Practices of the Childhood and Youth Justice System in Porto Alegre (Curtinaz and Silva 2008). The experience with restorative practices is also taking place in two other cities: Brasília and São Caetano.

We will focus on the restorative circles in the schools environments as a non-violent conflict resolution strategy based on values such as respect, dialogue, commitment, democracy, solidarity and empathy. This procedure is aimed to reduce the criminalization of the so called adolescents´ inappropriate behaviors, such as yelling at the teacher, name-calling, pushing and others which are often dealt with by referring students to psychological services or to the judicial system.

 The practice of restorative justice in schools has the capacity to build social and human capital through challenging students in the context of social and emotional learning. While restorative justice was originally introduced to schools to address serious incidents of misconduct and harmful behavior, the potential this philosophy offers is much greater. The conviction is that the key challenge for schools is addressing the culture change required to make the shift from traditional discipline, driven by punitive (or rewards based) external motivators, to restorative discipline, driven by relational motivators that seeks to empower individuals and their communities (Morrison 2007).

School History – Inclusion Criteria in the Pilot Project

All schools in Porto Alegre were invited to participate in the pilot project following the democratic principle of transparency and participation. The inclusion criteria that made institutions eligible to participate were: a) high index of legal conflicts (cases referred to the 3rd Regional Court of Youth and Childhood); b) diverse nature; c) interest in developing

peace circles in the school and be the hub of restorative practices; d) availability of time in the professor's time schedule for the capacitating and execution of restorative circles; e) absence of previous experience in restorative practices; f) high school teaching; g) daily shift; and h) participation in the first seminar on Restorative Justice 2007, which took place in March at Porto Alegre.

In mid-April of 2007, 10 school representatives, (8 state schools, 1 city school, and 1 private school) met in the AJURIS (Judges Association of the State of Rio Grande do Sul) headquarters – Porto Alegre,. All schools were invited by the provincial and the municipal secretaries of education and by the Private Schools's Union (SINEPE). The schools demonstrated interest in the project and participated in a survey carried out on site, which asked for the reasons that led them to participate in the Justice Project for the 21st Century. Some of the reasons mentioned by the participating schools were the following:

1. "Complexity of problems related to the behavior and relationship among students, parents and school. Search for perspectives towards the resolution of conflicts";
2. "The school has worked in a culture for Peace Proposal – Open School for Citizenship. It is the search for a peace culture proposal, where practical activities that deal with the different forms of violence in the school environment are achieved."
3. "To re-discuss the school environment, and to strengthen and create values with the objective to re-establish a healthy and pleasant school environment";
4. "To search for help in the resolution of conflicts. The expectations are positive and hopeful towards the resolution and improvement of conflicts";
5. "Avoid conflicts and implement the peaceful living culture";
6. "To try to solve the problems of the school through the democracy means of dialogue. Our expectative is to belong to this group" ;
7. "The expectations are that the school will be included in this culture of peace project and combine it with other existing projects in the school";
8. "We believe that a new vision and new way to deal with existing conflicts is necessary.

Schools recognized peace culture as an important alternative strategy for conflict resolution Four schools (one private, one municipal and two provincial) were selected to participate in the 10-month pilot project.

The Process of Implementation of Restorative Circles in Schools

In the next step, each school selected five individuals to do training about the restorative justice circle process. This group also would be part of larger liason group, together with the remaining schools as well as to the *Justice Project for the 21st Century*. These liasons would participate in initial three-day hands-on qualification course with Dominic Barter, the official project instructor, and monthly supervisions between April and November 2007. In total, 21 representatives from the four schools selected were capacitated. There was a request from one school for the inclusion of one extra professor. A promoting meeting for the project in each school, including teachers, staff, students, parents

and members of the community was offered. In one of the schools, this meeting was restricted to only professors, but was publicized to the parents and students by means of the school newsletter.

The research, characterized as action-research, involved mechanisms to support the creative, autonomous and responsible initiatives from each school by means of systematic planning, evaluation and self-assessment meetings with its reference groups. In the initial stage, a situational diagnosis[1] (SD) was carried out. The SD provided the information in relation to the initial moment where the schools were at, identifying the highest tension areas, and possible conflict areas. In addition, the SD was used to uncover and describe the different ways to face the difficulties. This demonstrated, many times, a punitive logic of exclusion for the perpetrator (identified as the expression of violence and conflict) and all others involved in the conflict, which reinforced the practice of violence in the school context.

The Research-action and Co-responsibility in the Awareness of the School Community

Giving the priority of the awareness of the community on permanent bases, 242 teachers underwent the research project. They participated by filling a standard questionnaire, answered individually by the teachers without any individual identification. We were unable to reach 100% response rate among teachers. During the period when the questionnaires were being delivered, problems emerged such as the strike among municipal employees in Porto Alegre, as well as lack of school teachers in schools and refusal to participate in the study.

Teachers' participation was not restricted to the questionnaire; we also included data from daily verbal interaction with the research team and behaviors observed in school. Conflict and assaults in the school system emerged as a major concern among the school teachers in Porto Alegre. More than 95% of teachers expressed that conflict was an important or very important issue in the school communities. One factor that justifies this concern, as well as demonstrates the situation of educational institutions in relation to discipline, is the estimate of time attributed by educators for responding to discipline and resolution of conflicts (see Table 1).

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[1] Our gratitude to the research assistants of NEPEVI, Andreia Mendes dos Santos, Simone Barros de Oliveira, Fabricio Tavares, Luciane Bueira Loureiro, Lizene Aita and Camila da Silva Fabis in data collection and follow-up of the four pilot-schools.

TABLE 1- Teachers: current situation in relation to conflicts. Justice for the 21st Century Project, Porto Alegre, 2007.

Approximate percentage of school time invested in issues related to discipline and conflicts (N= 242)		
Less than 20%	74	30
Between 21 e 40%	83	24,2
Between 41% e 60%	48	19,8
More than 60%	29	11,9
Do not have problems with discipline	08	3,3

According to teachers, 100% of aggressions involve some form of verbal attack, that is, insults, threats and name calling. In 86.3% of cases, these offenses also trigger physical aggressions. Other forms of aggressions, such as isolation, rejection and psychological pressure (mockery, gags, teasing) accounted for 77,7%; thefts and destruction of property, 20,6%; and approximately 5,3% did not identify aggressions in school. In relation to the sites where violence and intimidations among students (multiple responses allowed) happens with greatest frequency, the 205 teachers provided the following answers: a) school yard during break (86,3%); b) entrance/leave hours (47,3%); c) hallways during class breaks with 43,9%; and d) 40% happen during classes in the classroom. Approximately 18% of teachers did not identify specific sites for incidents. A small number (4,8%) evaluated that the conflicts take place in the specialized services of the school such as the supervisor's office.

Three schools of the pilot project participated in the evaluation of the opinion of elementary school students. A population was sampled from 4th and 7th grade elementary students, with 113 total participants. More than 25% of these children reported having moments when they do not feel comfortable in school. Almost 10% reported to feeling very uncomfortable in school. It must be stressed out that the main cause of fear for students is other classmates (12,8%). More than 10% of students admit to feeling afraid to go to school; 8,9% point the teacher as the source of their fear; and 5% define the classroom task as the major difficulty. The major forms of offenses that take place among students of the elementary school are presented in Figure 1.
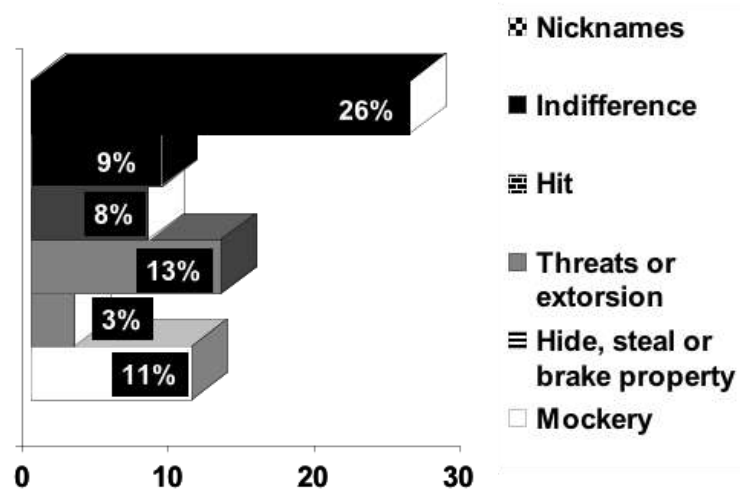
Fig. 1 – Forms of common offenses that were reported among students of the elementary school in the "Justice for the 21st Century Project

In the majority of cases, the boys (N=42) are the aggressors. Among the girls, the numbers are also significant (N=30). There is also aggression involving both genders (N= 13). The classroom has been the location of most offenses, outnumbering the school yard, washrooms, and entrance/exit areas. This indicates that the presence of the teacher does not reduce the threat of violence by the aggressor.

When asked who they would talk to about aggressions in school, some students indicated that the teacher was their last choice (N= 12). The majority of the students do not see problems in their relation with the teacher. In fact, the data indicate that for most students, the figure of the educator has represented a support for the resolution and/or deterrence of conflicts. According to the information provided, the teachers usually solve the conflicts in the classrooms in the following manners:

Table 2: Ways that the school teachers solve conflicts in the classroom, according to the elementary school students. Project Justice for the 21st Century.

	School 1	School 2	School 4
	N= 35 (%)	N= 37 (%)	N= 41 (%)
Expel the student from classroom	22 (62,8)	37(100)	19 (46,3)
Talk to the student in private	11(31,4)	01(2,7)	33 (46,3)
Isolate the student from others	01(2,8)	*	03 (7,3)
Refer the student to the Dean/Educational	04(11,4)	*	09 (21,9)
Ignore the act	03 (8,6)	04 (10,8)	04 (9,7)

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Of the students interviewed, 60 out of 113 admit that they participated in the provocations and are reinforced by other students in 16.6% of cases. On 75% of occasions, there is no interference from classmates, while in 8.4%, the classmates disapprove and set apart the aggressor. Thus, violence is being treated as a common event on the part of the students. There were only 15 students who stated that they felt uncomfortable when a classmate was being victimized. The students over the age of nine perceive and have consciousness of the aggressive environment and the acts of violence that take place in school. Regarding the use of drugs, all age groups studied indicate that they aware of its use on the schools premises.

Follow-up and Evaluation: Success Outcome Factors in the Development of the Pilot Project by Schools

The schools had freedom to structure, to implement the restorative practices, and to strengthen the promotion of the peace culture, as part of the pilot project. The creation of study groups with the participation of professors, who integrated the hands-on courses, has shown to be essential for the success in the development of school policies. Each institution organized its own practices, taking into consideration the available time, the professor's work shift, and the availability to accomplish the tasks. Actions promoted to implement the policies are seen to individualize conditions for the development of a peace culture in each school, as well as promote the non-violent resolution of conflicts and the introduction of restorative practices. These actions are:

Capacity to mobilize the school community beyond the teachers and students

This capacity was supported in two specific ways. First, ideas about restorative justice were shared through the lecture: "Non-Violent Communication and Peace Culture." In one of the schools, this initiative reached 3,000 families in the school community. In doing so, the school created a space for reflection between the institution and families regarding the culture of peace, and the need to implement the restorative practice as a way to solve these conflicts. The second, similar event, was the distribution of a newsletter by one school, with 3,000 copies, with information about the research project and notes on peace culture and non-violent communication.

Opening for the permanent self-questioning and commitment to the process

The opening of the institutions for the PUCRS Faculty of Social Work researchers, who followed the activities developed by the schools, as well as in the promotions of systematic evaluation meetings, was also an important process. In one of the institutions, there was some resistance from other school teachers concerning the implementation of the project. In one of the meetings, the project representatives were able to express their difficulties in the organization such as the lack of confidence to carry out a restorative circle as a facilitator, the lack of empathy of their colleagues, and the fear of the consequences of carrying out an unsuccessful circle. They decided to study texts on peace culture and mediation (Guimarães 2005; Milani 2003; Ortega and Del Rey 2002) and do some role-playing focusing on conflict situations before implementing restorative circles with real cases. In addition, they invited their colleagues to take part in the process. The outcomes

were positive because more teachers decided to have the training in order to be able to facilitate a circle.

Creative strategies of self-supervision

Among those are the simulation of restorative circles, named "Restorative Practices Hands-On Courses", which contributed for the promotion, clarification, discussion and implementation of restorative practices in schools.

Institutional and Secretary of Education Support (SEDUC)

In one of the schools, there was a more active participation of SEDUC by means of the institutional representative of project. Two hands-on courses about values and non-violent communication were offered for all teachers.

Self-organization increasing communication between school staff and administrators

The schools identified organizational strategies in relation to the needs and deficiencies they had self-defined in the research process. More as a consequence rather than the objective, teachers involved in the restorative justice circles got closer to the corresponding administrative departments in their schools. Through this increased interaction, staff and administrators identified and worked on solutions to issues that caused conflicts between school leadership, such as: short-staffing due to health-leave absences, non-justified leaves, deficient infrastructure, as well as relationship problems between the teachers and employees, particularly due to low income.

The diffusion of peace culture

Because of the training in non-violent communication, teachers had skills to become more aware of the facts of incidents. Some teachers report re-evaluating their own values and judgements, once they understood that the "objective of the non violent communication was not to change people and their behavior in order to reach its objectives, but to establish its relationships based in honesty and empathy, which will fulfill the needs of all" (Rosenberg 2006, 127). In order to reach this objective, the peace circles were developed in schools on a weekly or bimonthly basis, in an attempt to create a favorable environment for the implementation of ongoing restorative practices. Spaces for debate, articulation of ideas and encouragement for transformation were created. In some schools, these spaces received different denominations, such as the "Study Group for Non-Violent Communication", which was spread to teachers who had not originally been interested in the restorative justice proposal.

Conclusions

During the follow-up period in pilot schools, 9 pre-meetings, 7 meetings and 6 post-meetings were conducted. In one of the city schools a student who had been referred of the restorative circle who participated due to violent behavior, started to have a better school performance, which led to a reduction of aggression towards other classmates and in greater involvement with school tasks with greater family participation and with greater interaction with the school teacher.

In one of the state schools, a female, who participated in two restorative circles for physical aggression against classmates, stopped her aggression, and stopped being seen as a

"negative leader". Her family also started to receive support from the community. In another circle, dealing with negative dialogue between two classmates from 6th grade, participants reflected on the root-causes of the conflict. Clarifying the problem facilitated a better relationship between the girls, including get-togethers outside the circle period.

These are some examples of the problem-solving skills developed in the restorative circle process, leading to change in the school environment. In addition, using the restorative justice circles also revealed that teachers were willing to listen to the students in conflict situations, and vice-versa. In this process, the teachers' view is broadened; they start seeing the students as a people, with needs and desires simultaneous to holding responsibility to establish a common agreement that fulfills his/her needs.

Through follow-up and monitoring of the actions developed by the restorative justice pilot-schools we realized that the move towards a peace culture is long, demanding a collective effort for the transformation of a secular school culture. The traditional school culture has normalized and standardized childhood and youth, thereby failing to consider the cultural, social and economic context of students. To promote restorative justice is to choose a way, in which we move away from accusations, punishments and value judgments to allow for real dialogue. Each person involved in the conflict presents his/her point of view; those who listen translate what was said to the circle, so at the end all feel understood. This principle, which apparently, is so simple, implies a revolution in an environment, which-in general-does not allow much dialogue between participants.

The evaluation of restorative circles showed that more than 90% of people felt listened to and respected, which supports the wider implementation of these practices in the daily activities in school. One of the positive repercussions of the project was the reduction of referrals to the Educational Counseling Services, Dean's Office, or Teenager and Children's Special Police Station. The reference teachers started to utilize the key questions that guide the organization of meeting circles in daily school activities in diverse conflicts.

The implementation of restorative circles allowed an increase in dialogue, as well as in the capacity to listen and empathize. One of the problems found in the process is access to circles. In general, they are in low demand by students, who do not know that they constitute a legitimate process for conflict resolution in the school. The fear of the unknown associated to the strong culture of power relations in school is another factor that contributes to this low demand. Some teachers feel unsafe to participate in the circle meetings due to subsequent threats on the part of students. At the same time, the evaluation with the participants showed that the environment triggered feelings of lack of safety on the part of students.

For the schools that chose to be part of the "Justice for the 21st Century Project", besides the hands-on courses, there is the need to incorporate the practices of restorative circles in the learning project of the school. In addition, the inclusion of hands-on courses about non-violent communication is also needed for teachers, in order for restorative justice circles expand in schools. There is the need for the rigorous selection of people who will be the circle coordinators. This selection should not be done only by political criteria or

by the Dean's recommendation alone; the candidates must possess a good level of acceptance among students, good communication capacity and interpersonal relationship, availability for dialogue and humility.

The research also pointed out that there is the need for permanent supervision of the process and the proper use of the documents (restorative procedures guide), so that the difficulties and virtues, like the use of impartial and value-free language (e.g. inadequate conduct, condemnable attitude, moral aggression) can be assessed with the complete knowledge of the facts. The agreements must be clear, achievable, and with a timetable to be taken into effect, in such a way that the degree of satisfaction of those involved in the conflict and the capacity of restoration of relationships may be verified. Overall, even considering all the problems and challenges of these school experiences, it is clear that the seed has been placed in the soil and that while the promotion of change of a punitive culture into a more democratic one is a long journey, the first steps have been already taken.

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