

## RESTORATIVE JUSTICE - A NEW FRAME FOR AN OLD CALL TO CHANGE

Restorative Justice is a call for a paradigm shift. A paradigm is defined by rules and boundaries. This call for a change is not new.

Two thousand years ago Jesus suggested changes in both rules and boundaries.

Deut. 19: 21 "...it shall be life for life, eye for eye, tooth for tooth, hand for hand, foot for foot."

Matt. 5:38,39 Jesus says, "You have heard it said, 'an eye for an eye and a tooth for a tooth.' But I say to you, Do not resist one who is evil. But if any one strikes you on the right cheek, turn to him the other also...." 43,44 "You have heard that it was said, 'Love your neighbor and hate your enemy' but I say to you, Love your enemies..."

This does not mean that we are expected to have warm, gushy feelings for the one who has offended us. But it does suggest that we could, even in the face of an injustice, respond in a constructive manner. The greek word that gets translated into Love here is the word 'agape' which means to be constructive (see I Cor 13, 4-7), even when they are not yet reciprocating.

Gen 4:23 "I have slain a man for wounding me... If Cain is avenged seven fold, truly Lamech seventy seven fold."

Matt 18, 21,22 "How often shall my brother sin against me and I forgive him? ...Jesus said, 'I do not say seven times but seventy times seven (seventy seven).'"

This does not mean that I should think that an offense is OK or not wrong or try to pass it off as if it didn't matter. Rather Jesus suggests we develop strategies and put our energies into trying to bring about respect, responsibility, restoration, and reconciliation with the same intensity that Lamech worked for revenge.

Finally, In these passages we also see the boundaries for applying these new rules extended from relative to neighbor to enemy.

A change to a Restorative Justice paradigm would mean that our rules would shift from disdain, blame, punishment, and distance to respect, responsibility, restoration (victim and offender) and reconciliation. And these new rules would apply to all people, not just relatives and neighbors.

Disdain, blame, punishment, and distance provide an illusion of safety which we all know is only short term. I John 4: 18 says "...love (agape) casts out fear. Fear has to do with punishment..." Respect, responsibility, restoration (victim and offender) and reconciliation provide long term safety. And if applied to all people, would reduce racism, sexism, etc.

## VORP Bridges Culture Gap; Participants Gain New Respect For One Another

■ Tracy Dexter and Boback Emad are the VORP mediators who worked with this month's newsletter VORP case. Tracy is an attorney and Boback is an architect. Names and some details have been changed to protect identities.

Doi Yue is a tiny boy of eight. He was riding his bicycle down his street where Jorge and some others were shooting slingshots. Doi was hit just above his eye with a rock from Jorge's slingshot. Jorge said it was an accident. Doi thought he had done it on purpose.

Doi required a trip to the emergency room and some medications that were paid for by MediCal. Mr. Yue handled the situation. He did not speak much English

**Mr. Yue produced a receipt for the cow. The cost was \$520.**

but had a friend who acted as an interpreter. Doi's family is Hmong and maintains their Hmong culture. Thus, when we asked Mr. Yue what the damages were that he was claiming, he included the cost of a traditional Hmong healer (shaman) and traditional medicine to treat Doi's injury. He did not have receipts for all of it but said that

the bill was about \$300. Then, Mr. Yue explained that another part of the healing process included a gathering at which a cow was sacrificed. He explained that this was not an optional expense because they believed that Doi would not be healed without the sacrifice and the gathering of people. Mr. Yue produced a receipt for the cow. The cost was \$520. We were determined to be respectful of their culture but a little worried that Jorge and his family would not understand and would not be willing to pay the whole amount.

At the joint meeting, translation was required for both sides. Jorge's mother did not bring an interpreter but among us, we were able to provide translation. The in-

cident was discussed and information exchanged. When it came to discussing restitution Jorge and his mother did not question or dispute the purpose of the expenses but only protested that they were too poor to pay the whole amount. Jorge offered to work for Doi's father to pay off expenses but Mr. Yue did not have any work for him to do. Mr. Yue insisted he wanted the whole amount repaid or he would go to small claims court. Jorge and his mother were willing to pay most of the amount but were concerned about coming up with a feasible pay schedule. We asked her how much they thought they could pay per month and she said not more than \$30. After about an hour of negotiation, Mr. Yue agreed to a compromise. Rather than pay the \$836 at \$50 a month, they came up with an agreement that Jorge would pay \$720 at \$30 a month for 24 months. Jorge agreed to try to help his mother pay this because he was the person responsible. It seemed that they would work something out between them.

Jorge assured Doi that he would not hit him or bother him again. Doi said that he was not afraid anymore. Everyone signed the agreement and decided to meet again in three months.

### Follow Up and Reflections:

After three months we did meet. In addition to making payments on time, a large payment of \$300 was made. Mr. Yue wanted to make sure that making the large payment was not too hard on Jorge's mother. She said it was o.k. and there were many congratulations and smiles exchanged. *(Continued on back)*

More congratulations are in order. As of July, that is in less than a year, Jorge's mother has paid Doj Yue's family in full. The VORP process empowered the parties to be able to better understand the damage of the offense, to learn to know each other and restore equity between them in a way that respected each others culture, and to agree on a safer future. They experienced forgiveness.

Thanks Tracy and Boback!!!

This is a great example of a case that might have gone down the route of disdain, blame, punishment, and distance and instead with the skillful help of Tracy and Boback utilizing the VORP Peacemaking Model it was transformed into respect, responsibility, restoration, and reconciliation.

### Remember The Mayor's Challenge:

Remember our Mayor's Challenge to increase VORP ten fold!!! To increase VORP's capacity to do that two things will have to happen:

1. Trained VORP mediators will have to increase ten fold.
2. Financial contributions will have to increase ten fold.

### THREE SCHEDULED VORP MEDIATOR TRAINING EVENTS:

Sept 16, 23, and 30. (6:30 - 9:30)

Oct 25, Nov 1 and 8. (6:30 - 9:30)

Nov 12 (6:30 - 9:30) and Nov 13 (8:30 - 3:30)

Training includes conflict management and mediation skills. For those who work with VORP cases the only fee is the \$15 materials fee. For others the fee is \$75. CALL LINDA OR BARBARA at 291-1120 for details. Pre-registration is required. Space is limited.

---

## VORP RELIES ENTIRELY ON YOUR CONTRIBUTIONS.

Since a program generally takes on the values of the funding source, it is important that VORP is supported by those who support respect, responsibility, restoration, and reconciliation. Your money goes directly to serve victims and offenders. VORP has no paid fundraiser. Some who aren't yet contributing say, "Would my \$15 per month really make a difference."

I can assure you that it really would. When just 41 people join you VORP will increase the annual case load by 100. Financial statements are available on request. **IF YOU SUPPORT A RESTORATIVE JUSTICE PARADIGM, SEND YOUR CONTRIBUTION TODAY!!**

---

(c) 1993 Claassen. Any portion of this newsletter may be reprinted. Please acknowledge source and send us a copy of the reprint.



2529 Willow Avenue • Clovis, California 93612 • (209) 291-1120

Non-Profit Org.  
U.S. Postage Paid  
Clovis, Ca. 93612  
Permit #376

---

### Victim Offender Reconciliation Program