

SEVEN REPARATIONS

When I wrote the book *Restitution: Restructuring School Discipline* my first choice of a title was *Making it Right*. I also considered, *It's Okay to Make a Mistake* and *Could You Have Done Worse?* but it was decided by my publisher that one word would be best so I looked in the dictionary for a word that meant fix it and settled on restitution. Restitution is perfectly good word. The definition I read was “The act of restoring something that has been taken away.” However, shortly after I published *Restitution: Restructuring School Discipline* correctional facilities initiated a policy of offering people an opportunity to make a restitution in the form of money or community service rather than doing time. This caused me a problem especially in schools where parents would hear the word restitution and would say “My child’s not a criminal.” Restitution became a conflicted word. The need to redefine it arose. The concept of Restitution in theory is an excellent one and the intent is that restitution be restorative. However, most disciplinary policies are based on a system of rules and consequences. If a facility has not done a major piece on restorative justice redefining the role of discipline as a healing process, restitution is viewed merely as an easier way to serve time.

In truth, real restitution requires a rigorous self examination rooted in new understandings. When a real restitution is initiated there builds a desire inside the offender to heal relationships and to make it right with those who are hurt. These restorative processes are based on the aboriginal healing circle which seeks to restore harmony in the group. Restitution self discipline is about strengthening. It is not about consequences or hurting. If a rule mandates that a person pay a price for their mistake, this is not restorative. It really is a required consequence. If a person asks for and desires to make a restitution they are then doing this to be a better person making amends. A restitution process can be done after a consequence but trying to do both at the same time can be confusing because during a consequence process a person is on guard. During a restitution process it is necessary for a person to be vulnerable. For this condition to be created we use the restitution statements. Some of these are:

1. It's okay to make a mistake.
2. You're not the only one.
3. You can fix it.
4. It will be better tomorrow.

5. You could have done worse. You could have been more aggressive or you could have not cared.
6. It's a small part of a big life.

In visiting programs which have adopted Restitution I see a variety of ways in which it has been implemented. I have summarized those in the first person as seven options. After each I have written how it might meet a need. The first three are the most common ones I see and they are tainted by our predisposition to discomfort the offender and to have them feel guilt. The second four choices based on the aboriginal perspective of justice are strengthening. If a program adopts these Restitution will not grow stale but will instead become a corner stone of disciplinary practices. Parents like Restitution and students come to us with their problems asking to make reparations. .

WHAT KIND OF REPARATIONS ARE THERE FOR ME TO USE?

PART I

1. The First Reparation

I apologize. I say, "I'm sorry". If this is heartfelt it is a restorative act. I still say I'm sorry fairly regularly. However, with youth too often "I'm sorry" is lip service. It is not

something they feel. They do it as rote response to get us off their backs and this is not strengthening but it is compliance. Some become masterful actors doing this.

Why Do I Say Sorry?

Saying I'm sorry is a moderately effective behavior. Why?

- a. It restores relationships by acknowledging I inconvenienced or hurt someone else therefore I'm aware of others needs I gain **belonging**.
- b. It stops the other person from telling me what I did wrong because I've already said it myself, thus it gets people off my back I gain **freedom**.
- c. It is usually followed by saying "I won't do it again" which in a way is giving myself a picture of being more successful in the future. It's not as potent as using self restitution and saying it in the positive form, "Next time I will..." or "What I'm am going to do now is...". However, this does meet my **power** need.
- d. It's a simple tool to use.

2. The Second Reparation

I consequence myself—I say, "I won't do it again". When a person is saying, "I'll discomfort myself" they think pain must

be part of discipline. Often youth suggest reparations that retribute another at their own expense. “I’ll give him my sandwich because I spilled milk on his” would be an example. Or a youth might say, “I’ll shut up” or “I’ll sit in my seat” in class. These accommodations will solve the problem of the teacher, but they don’t meet the presenting need behind the original misbehavior. The youth has merely decided, “I won’t meet my need, I’ll meet yours instead.” Although the youth chooses this reparation and it solves our problem, it does not strengthen him or her. Also it is a short term solution because if the need is not met the person will generate another behavior to get the need, be it belonging, power, freedom, fun or safety. This, often subconscious behavior, may or may not be better. It may be worse because it is a result of the internal pressure that comes from the pushing down of a need.

Why say “I’ll discomfort myself”?

This mode is a holdover from the concept of consequences. This reparation is a conflicted one because I sacrifice my need in order to meet the need(s) of others. Why do we have this behavior?

- a. It restores **belonging** in the relationship. I’m willing to sacrifice because I see myself able to get back in the

group's good graces only by paying the penalty. This behavior is tied to the old concept of "an eye for an eye". I make a minor sacrifice for a greater good. For example, I care so much about peace in this relationship that I am willing to give up something of value to me to signify my commitment. However, this kind of reparation is more of a retributive approach than a restorative one since the victim gains but at the offenders' expense. It is very difficult for a person who has made a mistake to give up the idea that they should be suffering for their error.

- b. I have **power** by impacting on the situation. This reparation is active and gives me a sense of control.
- c. I feel I have a kind of **freedom** because I can choose my consequences.

3. The Third Reparation

I do a concrete reparation—I say, "I'll repair it". This is an active restitution. "Cleaning it, paying for it, or repairing it" all fall into this category. Repaying money or a fine would be at this level of reparation. The problem with this approach is that I may feel when I have completed the plan that I am done. This encounter doesn't have great growth potential when youth do

this. They may even dismissively hand us their plan and add “Are you satisfied?” It is seen as a payback as is restitution in the criminal justice system.

Why say “I’ll fix it”? Why it does help?

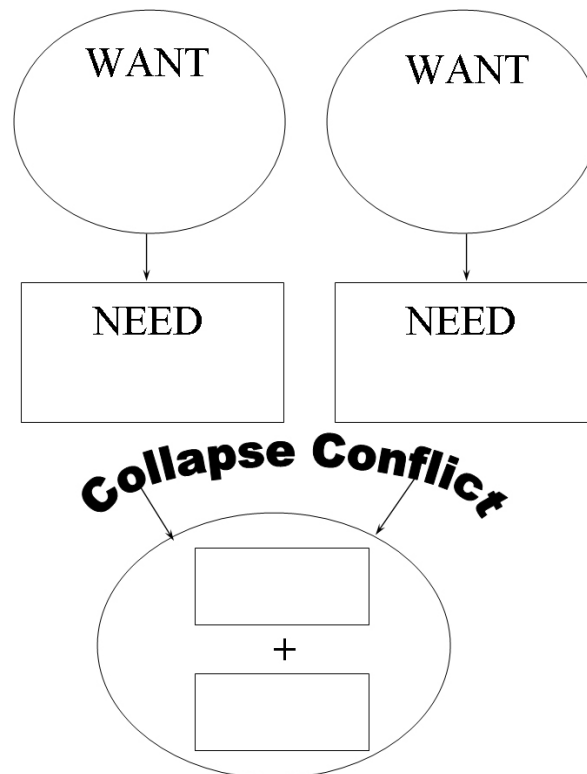
- a. Cleaning and repairing gives a sense of control and meets my **power** need.
- b. If I make the reparation to another person I restore **belonging** which may have been disrupted.
- c. A reparation is best if I feel I have a choice of what I do or when I do it. It gives me **freedom** to choose to make the reparation.
- d. A reparation gives me **freedom** from guilt.
- e. Making a reparation gives me **safety** from another’s retribution.

PART II

In order for moral growth to happen one must move Restitution from doing to being. Doing is not bad and reparations can help restore relationships but internal understanding and growth are the goals we are seeking. The next four restitutions are about **being** not **doing**. They aim to bring up internal strength. They are restorative.

4. The Fourth Reparation

I collapse conflict. The reparations that come from collapsing conflict will be growth producing. Collapsing conflict means identifying the wants and the needs of each party and creating a new solution that works for both.



It does not require a sacrifice from the offender. Although it will require effort, the solution to the problem is more than a payback. It is something that is invented. The youth will be strengthened because a new behavior will have come from inside his or her head. This will not be mere compliance to meet an external expectation. It is a pay forward.

An example of this is when a person who has been arguing tells us “Okay, I’ll just give in”. We tell them we don’t think that would be a good plan because it only meets our need for control and it doesn’t meet their need for freedom of expression. We seek to collapse conflict. We say, “How can you have freedom and we can have order? How can both things happen?” To the child who says to us when redirected, “Okay, I just won’t see my friends” we again offer to collapse conflict. We say, “I don’t think that’s a good plan. How can you have time with your friends and time with the family? Can both things happen?” If they say, “It’s not possible!” we answer “Then is that what we need to figure out?” This part of Restitution is a creative process.

Collapse Conflict – Win-Win – Why does it work?

- a. It reduces stress. Reduction of error releases energy for change. Sometimes I laugh when I see a new way.
(Fun)
- b. I meet the **belonging** need with myself. Meets the belonging need with others. It also creates a team feeling.
- c. It is creative therefore embodies quite a bit of **freedom**.

- d. It will last because each party's needs are met. If it lasts and is effective it will be **powerful**.
- e. My win-win solutions build a **safe** world.

5. The Fifth Reparation

I ask myself, “Could I have done worse?” Even though my immediate response may be “no”, I ask myself again, “Could I not have been more aggressive?” Usually it is easy to realize that I could have gone further down an angry road. However, if the behavior I don't like in myself is an aggressive one my question to myself should be, “Could I have been more passive? Could I have not cared?” The true answer when I have chosen aggression is usually found in my attempt to avoid passivity. There is a value I have been protecting with aggression and to do nothing in the situation would have been worse.

Why ask “Could I have done worse?”

1. This thought releases tension at the physical level. It is a fresh healthy way to view my behavior and gives me more **survival** potential.
2. I shift from my failure identity to my success identity where I am more accepting of myself and thus have **belonging**.

3. I have profound understanding from this question. My answer will give me knowledge of my true motivation and knowledge is **power**.
4. I will have **freedom** from guilt (‘‘shoulding on’’) myself.
5. Sometimes I laugh when I ask myself these questions. This is generous and playful.

6. The Sixth Reparation

The Gift – When I do something I consider inappropriate I seek to find the positive side of my negative actions. My mistake can show me where I need to grow if I can reframe it. When working with you the most wonderful Restitution will be the one which honors the gift in the ‘‘misbehavior’’ and finds a use for this gift for the benefit of the group. For example a rude youth may also be courageous. Our Restitution question would be, ‘‘Is there a way you can strongly state your position in a way you will be better received? Can you figure this out?’’ Or perhaps a clever prank shows a youth’s ingenuity. Our Restitution question here would be, ‘‘Is there a way you can keep being creative without getting hurt? Think about it. What have you learned to share with the group?’’ When we move to this level of Restitution we are strengthening the youth and creating a new way which can be a model for others. For

example when I was working with incarcerated youth one said that the cop car chasing him went into the ditch and he stayed on the road. I asked him how he stayed on the road. He said, “I focused on the road, did my breathing, and did not over react in the ice slides.” I asked “Could you teach someone else (not in an illegal situation) how to calm themselves under stress?” He said he could and later that spring helped a student deal with exam anxiety using visualization and breathing.

Finding the Gift – This is one of the highest form of Restitution we know to date.

- a. It unleashes the **power** of the misbehavior in a positive direction.
- b. The gift is used to help the group (**belonging**).
- c. It is creative so fits with **freedom** to invent.
- d. It feels great and is a generous view of the self (**fun**).
- e. The “gift” conversation creates enormous emotional **safety** because it really leads to a profound understanding that all behavior is purposeful. When I know others see my positive side, I can be more open with them.

7. The Seventh Reparation

Humor. Try to use humor in a restorative way. When I can do this, it is not sarcastic, but more of a gentle teasing. The joke gives the recipient a new perspective and often contains a needed lesson. Laughter also provides a physical release. In a group we are always grateful to that person who can provide an energy shift by joking in a tense situation. I learned much when I worked in Northern communities about the power of humor. Below is an excerpt from the KISEWATOTATOWIN - First Nations Parenting Skills Manual which talks about aboriginal humor.

Humor

First Nations people have a sense of humor that is sometimes misinterpreted. They are able to see the humorous side of a grave situation or even a catastrophe. They can laugh about events related to death for which they have been judged as insensitive. This may be due to past events which First Nations people were forced to endure and there for they are not able to laugh at events which do not seem as hard or trying.

What else can be done when a catastrophe has occurred, but to relish the laughter of the humorous aspect of the situation? This is sometimes called "Indian humor". We are taught that to laugh at ourselves provides strength in dealing with circumstances. Laughing about the situation provides medicine for the mind and emotions as laughter is good medicine. People who can laugh at themselves can be seen as dignified. They are seen as having the ability to have humility without shame, because they

can laugh at their own shortcomings. First Nations people laugh along with one another and not at each other.

When we find ourselves in circumstances beyond our control, we can laugh. Laughter has carried us through many trying times. When eight to ten people are fed soup from a small pot, rationed so that everyone gets a small taste, they laugh because it was done. "Look at us", they might say; "we did what others would consider impossible."

First Nations people were traditionally non-confrontational. They approached their issues of concern through teasing. It is easier to get people to look at their behavior in a teasing way, than it is to confront them. Through teasing, we humor them rather than getting them angry.

Change in other people's behavior can be accomplished through teasing and not and not by hurting them. We are taught not to violate the other person's spirit with harsh words. Teasing is one of the ways First Nations people affect change in one another.

People who hear the teasing (who are being teased) will look at themselves and question their own behavior. By teaching people to laugh at themselves we always make opportunity for change, whether it be immediate or later. Therefore, humor becomes a very integral part of us and has to be used with good intentions so as not to hurt anyone. Laughing at people without good intentions can cause them to feel hurt. Teasing that is mean spirited and malicious is not what our ancestors practiced.

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Joking as a reparation

- a. If I am the butt of my own joke it is endearing to people and gives me **belonging**.

- b. Everyone needs a good laugh – physically and emotionally. It upshifts the brain. It meets the **fun** need.
- c. A good quality joke always has learning in it. Learning is **power**.
- d. A quality joke shifts perception and adds to the **freedom** need by giving us another choice of how to perceive something.
- e. A joke that is **generous** is self loving.

A joke that is caustic and used for power disrupts belonging. This is not a restitution but a retribution. We can do better. Every person is creative. We are creating our lives every minute of every day. Let's use our Restitution knowledge to reveal our creativity to ourselves. All we have to offer is ourselves.

You will see as you review the seven reparations that the ones which are healing will be long term solutions because they meet more needs than do the first three. Have fun using the seven reparations guide to analyze your practices. See where you can be more of the help you want to be.

SAMPLE REPARATION QUESTIONS

WE SAY	THEY SAY	
1. What can you say now? What does she need to hear?	I'm sorry	Apology
2. What happens to you now? What do you need to stop or start to make it better?	I won't do it again	Consequence myself
3. What can you do to fix it? How can you repay it?	I'll fix it	Concrete Reparation
4. Can you invent a way to meet both our needs? Win-Win	We can both get what we need.	Collapse Conflict
5. Could you have done worse?	Yes, I could have not cared.	Shift Perception
6. What is your talent here? I agree. Keep that asset but use it to help?	I'll use my strength to help.	The gift
7. Joke/Gentle teasing	Healing Laughter	Humor

Restitution aims for the #4, #5, #6 and #7 level.