



NEWS

of the Central Valley, Inc.

November 1996

CAN 'REINTEGRATIVE SHAME' REINFORCE COMMUNITY VALUES, RESTORE VICTIMS AND OFFENDERS OF CRIME?

by Ron Claassen

Reintegrative Shame is the language criminologist John Braithwaite, from Australia, has used to describe a theory and process that I think deserves some serious consideration.

Research indicates that most of us comply with the law most of the time, not because we rationally weigh our fear of the consequences of detection against the benefits of the crime, but because to commit the crime is simply unthinkable to us. Braithwaite says that shaming is one of the social processes which leads to the cognition that a particular type of crime is unthinkable. He suggests that cultures where shaming is muted are cultures where citizens often do not internalize the abhorrence for crime.

He also says it is important to distinguish reintegrative shame from stigmatizing and ostracizing shame. He says that most positive change happens when, in the context of community representatives and a strong supportive group, the moral wrong is recognized, responsibility is accepted and action is taken to both assist and symbolize reintegrating the offender into the community. This is what he calls reintegrative shaming.

He is adamant that stigmatizing and ostracizing shame is counterproductive. When we ostracize a person we encourage them to find others who have also been ostracized and they form or join a subculture that feel they now have a legitimate reason to reject the values of those who have ostracized them and in this way maintain a form of self respect.

His claim is that only those who are reintegrated will reject the criminal subculture and adopt the values and morals of the law abiding culture. He says that it logically follows that those who are reintegrated will be less likely to reoffend.

The theory of Reintegrative Shaming relies on the idea that a consensus exists that compliance with criminal law is a social goal. He cites substantial evidence that there is an overwhelming consensus in most democracies that most acts which are crimes should be crimes. He also cites evidence that even parents who themselves have criminal records try to instill respect for the law in their children.

So he says it is not that the subcultures suggest that criminal law is wrong, rather they supply rationalizations of different sorts for why a particular circumstance of offending is not "really" a crime or not

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a "serious" crime and therefore makes the crime OK for them.

He says that we often inadvertently encourage delinquency in the process of expressing tolerance and understanding. He says that loving families that are tolerant of delinquency will raise delinquent children just as often as cold and restrictive families will. The key is to be intolerant of delinquent behavior and loving and understanding at the same time. He suggests that this is possible and is the mode of most families and could become the mode of a community as well.

VORP has been demonstrating that shaming and reintegration are possible, especially when the shaming/reintegrating community includes the victim. (As demonstrated in our story this month, we usually use the terminology of forgiveness rather than that of reintegrative shaming. We say that forgiveness requires mutual recognition that: injustices are recognized — confession; equity is restored — atonement; and constructive future intentions are clarified — repentance.) Braithwaite's theory of Reintegrative Shame contributes to understanding the larger idea of a Restorative Justice system. I believe that a consensus is developing in the Fresno community that is supportive of moving in the direction of a Restorative Justice system.

CARD COLLECTORS TRADE RESENTMENT FOR RESTORATION

by Trevor Siemens
with Ron Claassen

Our story this month is from Trevor Siemens. Trevor will be leaving us this month. It was two years ago that he came to Fresno as a volunteer with the Mennonite Voluntary Service Program. He has served our community well. His primary responsibility with VORP has been to follow up on all of the agreements made in VORP meetings to encourage their completion. In addition he has carried a wide range of other responsibilities of which he particularly enjoyed mediation. While we understand that his plan was to serve for a two year period and then return to his family and community (Saskatoon, Alberta, Canada) we are certainly going to miss him and wish he could have stayed.

Gary and John were best friends since the age of five. Their houses were only a few blocks apart. Summers were spent swimming and going on camp-outs. During the school term they attended the same school, and were in many of the same classes. They played together on sev-

eral baseball teams over the years and were both avid collectors of baseball cards.

Shortly after final exams and graduation ceremonies were completed, Gary, John, and another mutual friend decided that they would have a celebration together. The evening of celebration came to a close and Gary needed to get home as he was starting a new job the next day. John decided to stay a bit longer. He and his friend started to discuss baseball and who their favorite teams were. John mentioned that he had a baseball card collection and listed some of his favorite cards. He also mentioned that Gary also collected cards and had some valuable cards. As John was getting ready to leave, his friend asked if he was into bets. John asked what he had in mind. The friend bet John that he wouldn't be able to get into Gary's house to steal his card collection.

See 'Baseball card B&E...', page 2

Baseball card B&E threatens five-year friendship; VORP puts reconciliation in lineup after offender picked off stealing

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John took his friend up on the bet and broke into Gary's house and stole his card collection and several compact discs. John sold the merchandise to a local card dealer. John was identified, and arrested for breaking and entering. At his court hearing, the judge asked John if he was willing to go through VORP to settle restitution with Gary. John stated that he was willing.

The individual meetings with both John and Gary were arranged. When I talked to them, they each stated their friendship was over. Since the incident neither Gary nor John had spoken to one another. But both stated that they were willing to work with VORP, and the joint face to face meeting was scheduled.

The joint meeting started slowly. Throughout the first part of the meeting there was almost no eye contact between John and Gary. After they agreed to the groundrules, I asked John to describe what had taken place the day of the burglary. While John found it difficult to tell his story, he managed to

get it out. When Gary summarized what John had said, it was clear he didn't agree with everything, especially about how many cards were taken.

It was then Gary's turn to tell his experience and John's turn to summarize what Gary had said. He had a very difficult time especially when he came to the parts about how betrayed Gary had felt, how much the card collection had meant to him, and how many years it had taken him to collect the cards.

We moved to restoring the equity. Gary brought a list of the cards and CDs stolen and their worth on the market today. The list totaled \$900. As this discussion was happening, John and Gary began looking at each other as they spoke. They were both knowledgeable about cards and their values. They went over the list together in great detail, and after twenty minutes agreed on the total. I then wrote down what they said for the total and the payment plan.

We then moved to future intentions. John assured Gary that this would never happen again. He told Gary that he was

wrong for doing it, that he was very sorry, and that he would pay back the amount of restitution requested. John went on to say that he recognized the worth of the cards to Gary and that they could not be replaced easily. He also acknowledged that his friendship with Gary was strained because of the incident, but that he wanted to rebuild it. Gary acknowledged what John said and replied that although it would take time, he would be willing to work on rebuilding a friendship. Gary went on to assure John that he would not hold the incident over John's head now that they had worked out an agreeable plan. At the close of the meeting John and Gary shook hands and walked out together.

I've been the mediator in a lot of cases over the last two years, and a number of the victims and offenders have been friends prior to the crime incident. I continue to be amazed how the VORP process helps make it possible for a friendship to be rebuilt.

Thanks Trevor

"Blessed Are the Peacemakers"

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An investment in VORP is an investment in community building and violence reduction in Fresno. Each time a story like this happens, the fear and potential for violence is reduced.

The problem is that because of finances, VORP is limited in the number of cases and volunteer mediators that can be

coordinated and supervised. Increased contributions convert immediately into increased cases.

If, in addition to those who contribute so faithfully, all others who receive this newsletter would contribute just \$20 this month or next, Fresno VORP could increase its case load by 50 percent from this year's 650

referrals.

Please write your check right away and return it in the envelope provided. Participating in this constructive way is a very responsible thing to do. I can assure you that it is also a very satisfying experience. In addition, all donations are tax deductible as charitable contributions.

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