Exploring the Intention of Restorative Practice from an Indigenous Lens

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Letting our Light Shine

Our deepest fear is not that we are inadequate. Our deepest fear is that we are powerful beyond measure. We ask ourselves who am I? to be brilliant, gorgeous, talented and fabulous. Actually who are you not to be your playing small doesn’t serve the world we were born to make manifest. The Glory of God that is within us. And as we let our own light shine we unconsciously give other people permission to do the same.
My Restorative Journey

Inquiry Questions

1. What is the intention of Restorative Practice from an Indigenous perspective?

2. How can honouring traditional community values, *ways of knowing* benefit Indigenous people and offer a common future for humanity?


- Truth & Reconciliation Commission of Canada: Calls To Action (2015)
Wahkohtowin - Video

Understanding Cree Natural Law from Spiritual Elders, and their interpretation of Restorative Justice

Video funded by the Alberta Law Foundation and produced by Native Counselling Services of Alberta

Video can be viewed/purchased at following website: www.bearpawmedia.ca

Pay Attention to

- Messages the Elders convey regarding their understanding of restorative justice?
- How does this equate/differ from your understanding, beliefs and values?
Wahkohtowin

*Doctrine of Relationships* based on interpretation of natural laws viewed from a *relational lens* by Cree Elders.

Restorative Justice seeks to repair harm by restoring the relationship.

When people come to live together in peace and harmony it is called *Wetaskiwin.*

*Living in Harmony* means mutual respect, obligation and responsibility to foster and maintain healthy relationships.

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Restorative Practice (circles & conferencing) derive its POWER from WORLDVIEWS that shape them. If we don’t understand CULTURAL relevance, their power will be quickly eroded. (Rupert Ross)

Ubuntu - “I am what I am because of who we all are”
A person with Ubuntu having the following qualities:

 Welcoming  Hospitable  Warm & Generous  Willing to Share  
 Compassionate  Open & Available to Others 

• Doesn’t feel threatened that others are able and good, for they have proper self-assurance that comes from knowing that they belong in a greater whole.

• Feels diminished when others are humiliated, diminished when others are oppressed, diminished when others are treated as if they were less than who they are.

Desmond Tutu
By all measurements of the human condition, Indigenous people lead in the statistics of suicide, family violence, substance abuse, crime rate, poverty, and school drop out.

Why are Indigenous people (any historically oppressed population) in such a vulnerable position in (Canadian) Society?
Upon contact, settlers and Indigenous people co-existed – a relationship based upon survival.

When settlers began forming government the settler view of the First Peoples became:

- **primitive**
- **god-less & heathen**
- **child-like & unable to make decision for themselves**
- **savage**
Ethno-Stress

“When the Cultural Beliefs or Joyful Identity of a People is Disrupted”

Policies and practices that evolved between Aboriginal peoples and White society over the past four hundred years have been based on the assumption that Aboriginal people were inherently inferior and incapable of governing themselves. Therefore, actions deemed to be for their benefit could be carried out without their consent or involvement in design or implementation.

Disconnection of Indigenous people from the land, their history, their identity and their rights so others can benefit.

CANADA’S RESIDENTIAL SCHOOL SYSTEM
Formalized family breakdown as a matter of National Policy
132 schools over 7 generations (1883 – 1996)

Historic Trauma Survivors include

a) Residential school survivors

b) Generations of children who survived abuse and neglect in families and the child welfare system

c) Indigenous people who have carried the trauma of loss, assimilation and ethnocide.
Systemic attack on the collective Aboriginal psyche

- Aboriginal people began *internalizing the negative stereotypes* of Aboriginal identity
- Colonized Identity: belief that indigenous philosophy, science, culture and spirituality is *INFERIOR*.
- The people were left to feel neither a part of Canadian society nor comfortable with their Aboriginal identity.

Political domination

- No way for families, nations to self-determine (make choices for themselves). *Absence of FAIR PROCESS*
- Loss of meaningful role of Aboriginal women in Aboriginal and Canadian society.
Loss of an internal locus of control

- Generations of Aboriginal children have grown up in environments where their parents and other adults appear to have no power or control over their lives.
- Root cause for lateral violence, over-representation in social-justice system, negative health determinants

Loss of ability to build & maintain healthy relationships

- Introduction of pervasive intergenerational cycles of family violence in entire generations of children in communities.
- Devastating effect on a community's sense of connectedness.

Loss of transmission of healthy social norms

- For some children, the violence has become normal.
NATHANSON'S COMPASS OF SHAME

WITHDRAWAL
isolating oneself; running and hiding

ATTACK OTHERS
lashing out verbally or physically, blaming others.

ATTACK SELF
self put-down, masochism

AVOIDANCE
Denial, drugs and alcohol, workaholic
Intention of Restorative Practices

When dealing with historically oppressed populations is to facilitate recovery from Historic Trauma

• Begin to **unpack internalized oppression**: feelings of helplessness, hopelessness, or sense of despair, which is manifested in harming behaviour—levels of suicide, crime rates, family breakdown, substance abuse, poverty, violence, school drop-out rates, etc.

• **To restore a positive identity**, allowing individuals to ....

  Strengthen relationships and address conflict and tensions by repairing harm as a way of building and sustaining community.
Restorative Engagement is likely when it involves facilitated dialogue that:

- Assists others to make meaning of their lives
- To identify what is most important in all that is happening
- What needs to change and what their part will be in the change process, and
- What is needed that will help build and sustain healthy relationships

Terry O’Connell

Incorporating the use of the circle in a restorative process: honours worldview, ceremonial ways, customs and laws in Aboriginal culture.

**ABORIGINAL WORLDVIEW:** All things are cyclical, holistic, and equal, there is a constant flow of energy, all things are considered animate, imbued with spirit and interrelated. Everything is connected and inter-dependent for survival. (Battiste 2000)
A SACRED CIRCLE

Spiritual/Religious practices are honored

Equality everyone is respected, has a voice

Confidentiality stories shared are sacred

Voluntary attend on your own free will, personal choice, not mandatory

Inclusive everyone is invited who is connected or impacted

Safety emotionally, mentally, physically, spiritually for everyone

Relationship focus - build, maintain, renew, address relational disharmonies

Focus is on the children & future generations

Elder George Bretton & Gayle Desmeules

Restorative Engagement Focus

- Share their story
- Feel heard & understood
- Make sense and meaning of what is happening in their relationships & identify what must change
- Assist everyone involved to build capacity through the use of explicit language and (culturally) relevant practice

Terry O’Connell
The Central Idea

Individuals are more likely to trust and co-operate freely with systems – whether they themselves win or lose by those systems – when fair process is observed.


How does this notion of fair process fit within the context of colonization & historic trauma? History of an uneven playing field, power imbalance, no voice or choice, distrust?

A BETTER QUESTION ....

How can restorative practices even the playing field, engage Indigenous (historically oppressed) people, re-build trust?
Practice Domains

Co-Construct Service Framework or Model

A True Partnership

Pressure
Limits
Expectations
Challenge

FIRM

HIGH

TO

authoritarian
controlling stigmatising

WITH
restorative
authoritative respectful

NOT

neglectful
indifferent passive

FOR

permissive
protective easy/undemanding

Support - Encouragement - Nurturing

低

FIRM

LOW

FAIR

High

Adapted from Social Discipline Window - Paul McCold and Ted Wachtel - 2000
Climate of Reciprocity – Practice of exchanging things with others for mutual benefit.

Fair Process (supportive of one another) Firm (challenge one another) builds:

- Trust (which enhances)
- commitment (which leads to)
- Voluntary co-operation

This enhances learning, innovation, moral development, behavioural change through relational accountability, people are more productive – resulting in healthier workplaces, families, communities.
PARADIGM SHIFT

ADVERSIAL BASED SYSTEM

- Problem Focus  
- People as problems  
- Reactive  
- Fault Finding, Blaming  
- Professionals  
- Crisis Management  
- Creates Despair  
- Controls, Involuntary  
- Prescriptive  
- Doing To, For or Not  
- Policy Driven

RESTORATIVE PRACTICE APPROACH

- Solution focus  
- People as resources  
- Proactive  
- Claiming Responsibility  
- Everyone  
- Preventative  
- Creates Hope  
- Consent, Voluntary  
- Creative  
- Working With  
- Relationship Driven

Gayle Desmeules
CIRCLES & CULTURAL COMPETENCY

• **By virtue of its construct** circles provide a culturally competent model, a safe environment for people to share their views and experiences with one another.

• **Circles help** restore “Wahkohtowin or Ubuntu” a relational framework to **re-establish a climate of respect** through initiation of the healing process, promotion of understanding, joining with others and growth.

• **Create a NEW story**

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INTENTION OF FAMILY GROUP CONFERENCING

To empower our family to take responsibility to make decisions for our own children.

To heal people, to live in peace, to form a functional family.

To build a relationship that is in harmony with others, to grow, learn and change through relationships.

To bring us from harm to harmlessness as best can be accomplished within that relationship.

To recognize options and have choices.

(Desmeules, 2003)
Reconciliation
Repair broken relationships

Reclaim Wahkohtowin:
living an interconnected worldview

Ability to Self Determine,
charting own course

Healing and Reconciliation =
Building Resilience =
Moving Beyond Historic Trauma

© LaBoucane-Benson, 2009

UBUNTU
Gives people resilience, enabling them to survive and emerge still human despite all efforts to dehumanize them.

Desmond Tutu

If you are doing Restorative Practices
You are doing Human Rights
From Within

We don’t need someone to show us the ropes.
We are the ones we’ve been waiting for.

Deep inside us we know the feelings we need to guide us.

Our task is to learn to trust our inner knowing.

Sonia Johnson

Let your Light Shine