

Robinson Award Response
By Ron Claassen
June 3, 2007

I want to thank those who so graciously introduced me. I am deeply honored to receive this award, especially because of the theme of the common good and because of the organizations that support this event.

I want to thank Dr. David Roy in particular. He contacted me on several occasions and I know devoted a lot of time and effort into this event, and I want to thank all of the people behind the scenes that have worked hard to make this event possible and I know that you do this because you strongly believe in the importance of the common good.

As we all know, it takes a whole village to raise a child. I have been blessed with a wonderful village. I am honored tonight to celebrate this event with all of you, a lot of you have had, and continue to have significant impact on my life.

Several members of my family are here and I want to introduce them. At this table are Roxanne (we've been married 39 years), she is my best friend and colleague. I learn a lot about restorative justice from her. She teaches 8th grade and practices restorative justice daily. Her parents are here, Glen and Helen Harvin. My brother and his wife, Elwin and Vonnie Claassen, who live in Santa Cruz, are here and they brought with them my mom, Ruth Claassen. (we are missing my dad who died five years ago). And our son and daughter-in-law, Kevin and Jennette Claassen are here from the Walnut Creek and then there is our first grandchild, Samuel Glen who was born Feb 9.

Peace and Justice are two very important values for me. They are deeply rooted in my Christian faith. I learned about them from the texts of my faith, the Hebrew and Christian scriptures, and from the people in my village who embody and interpret them with me. When I say peace, I don't mean the kind of peace that we might refer to when there is no open fighting but this is due to each side being afraid of what the other might do. Rather I am thinking about the Hebrew concept of Shalom. As I understand it, this is the kind of peace that is the result of right relationship. And when I refer to justice, I am not speaking about retribution, rather about a process for making things as right as possible for all who were impacted by a violation.

I think that becoming a peacemaker can start when we are very young. As a child, my mom and dad limited my gun ownership to a cap gun that I used just one day a year, on Pioneer Day in Paso Robles. However, they said that while I could enjoy the sound of the caps, I should never point it at anyone, because if it was real, it could kill a person and human life was so precious and valuable to even pretend that we would kill someone. They said that applied not only when I used the cap gun, but also when we used sticks or our fingers to pretend they were guns. Mom and dad said I should never even pretend to kill. That high regard for the infinite value of all people, was an important part of living

out our faith. It was a central theme at home and at our Mennonite Church in Paso Robles. I thank you mom for that teaching, and for your consistent love and care for me.

These values and teachings continue to be regularly reinforced by our pastor and friends at Mennonite Community Church here in Fresno and by colleagues at Fresno Pacific University. I am honored that a significant number of people from our church and the University are here to celebrate and share this honor with me.

There are people here who meet with me regularly, or with both Roxanne and I. Some of these regular meetings, often for a meal or coffee, have been going on for more than 10 or even 20 years. Each of these relationships started for different reasons and over the years our friendships have deepened. These friendships are very important to me and provide support, encouragement and accountability to live the values we espouse. I am so thankful for our friendships. Thank you so much for coming tonight to share in this award with me.

In 1982, I had the wonderful experience of introducing and helping develop the Fresno Victim Offender Reconciliation Program (VORP). I obviously could not have done this alone. There have been staff, board members, Mennonite voluntary service workers, volunteer mediators, probation officers, judges, and many others who have made it possible. Again, many of you are here and I thank you for coming.

Interest in VORP and the larger idea of Restorative Justice have gradually increased over the years locally, nationally, and internationally. We are part of what has become a very large movement. Evidence at the international level is the approval of a declaration of restorative justice practices at the 2005 International Crime Congress sponsored by the United Nations. Evidence of the growing interest at the state level is the current attempt to re-write the purpose statement for Juvenile Justice in California, which is part of the welfare and institutions code. A summary statement is says that the rewrite is in part due to the goal of including restorative justice principles. And evidence of growing interest at the local level is the county legislative platform statement calling for a Restorative Justice Pilot project.

I welcome this growing interest; but proclamations, goals and good intentions are not enough.

I think that VORP and Restorative Justice will continue to be utilized only occasionally and not become the normal way of doing business until we examine and transform our basic systems and structures.

Our systems and structures are the major forces that determine how we relate to each other. Just like the framing of a house is not obvious, our structures are not obvious. And just like the framing of a house determines the quality of the house, a good structure improves the quality of the relationships in an organization.

A good organizational structure is one that helps people relate to each other in ways that are constructive and with respect, fairness, and restorative justice. Shalom-Peace is not the absence of conflict, but the knowledge and confidence that when conflicts inevitably emerge, because of our systems and structures, they will be faced and addressed in ways that are respectful, reasonable, restorative, and re-integrative. A bad structure is one where a few dominate others in ways that are experienced as disrespectful, unfair and retributive rather than restorative. Bad structures are reinforced with what Walter Wink calls, the Myth of Redemptive Violence, the misguided notion that if the good people punish, hurt or kill enough of the bad people, that will lead to peace. Unfortunately, even people who care about the common good but are leaders in a bad structure, while they can minimize the negative effects, over time they succumb to the force of the structure.

I am very influenced in my thinking on this by three writers: the first is Hendrick Berkhoff, *Christ and the Powers*, John Howard Yoder *The Politics of Jesus*, and Walter Wink, *Engaging the Powers* and *The Powers that Be*. They all speak of this incredible force that influences how we act, the structures of our organizations and communities and even our homes. They all suggest that the structures can be good or bad. And they all hold out the hope that the bad structures, those that are experienced as disrespectful, unfair, and retributive, can be transformed and redeemed.

I want to share two examples of transformation:

The **first** is from New Zealand. In 1989 they created legislation, largely at the request of the Maori, to change the structure of their juvenile justice system. The Maori could see that their children were being caught up in the criminal justice system and not getting out. They were involved at rates much higher than their percentage of the population. They proposed the idea of utilizing a practice from their past that had been very successful in helping to positively influence their youth. It was called a Family Group Conference and it included not just the nuclear family, but also the extended family: uncles, aunts, grandparents, cousins, etc.

Their request was that they be allowed to convene a family group conference in cases of juvenile crime before any sanction would be imposed by the court. About that same time, the criminal justice authorities had heard about VORP and they proposed adding the victim to the group. The final legislation made provision for all cases (with just two exceptions, murder and rape with a weapon) to have a conference before proceeding to the court. The final legislation required this group, which also included victim and support people, offender and extended family, a criminal justice official and could include community or faith community representatives, to come to a unanimous agreement.

Their purpose was to meet to discuss the offense, to determine how to repair as much of the damage as possible, and to create a plan for a constructive future. If the offender did not deny the charges and if the whole group agreed on the plan, then the court would review the plan, and unless it was seen as overlooking important items that would create an unsafe or unlawful situation, it would be made the sentence. The skeptics though it

would not have any impact since most offenders deny the charges. They also thought that if they did get to a conference, the likelihood of them all coming to unanimous agreement would be very small.

The legislation was enacted in 1989 and in 1996. Judge McElrea was a guest at our annual RJ Conference and he reported these astounding results. In just five years they experienced a 75% decrease in cases that needed to be heard by the court. And something they had not expected, they experienced a decrease of almost 2/3 of youth incarcerated. They closed over 1/2 of their lockup facilities for youth because they did not need them. When asked why they don't use the lockup option he said some thing like this: When people gather in these conferences to recognize what has happened and what needs to happen for a constructive future, they always want the offender to spend more time with people who will be a positive influence in their lives and less time with people who will be a negative influence in their lives.

This dramatic change was not just the result of a changed purpose statement; it was a change in their structure.

Can you imagine something like this happening in Fresno County? I can.

A **second** example of a transformed structure is the student discipline system at Fresno Pacific University.

Although our goals have always included a preference for education and restoration, our structure required that we ask the same three questions: Was a rule violated? Who did it? And what is the appropriate punishment?

Three years ago, our new dean, Dr. Zenebe Abebe, asked for a policy review and invited me to participate (maybe I asked to be included). At one point I was given the opportunity to tell the New Zealand story and suggest we could do something very similar. The group considered it and liked the idea because it would bring our practice closer to our theory.

We worked for many months to create a restorative discipline structure and policy manual. It included an emphasis and encouragement for informal conflict resolution and mediation. But the primary structural change related most to the most serious cases, those in which an incident report had been filed. In the past, these cases all proceeded to an authority or judicial structure.

The new structure requires that all of these most serious cases to start with a community justice conference, a meeting with all stakeholders present. Those who gather for this conference are guided by a mediator to recognize what has happened and how it has impacted all of the stakeholders, to determine together how to restore equity as much as possible, to create a plan for a constructive future for all, and then to arrange follow-up to support completion of the agreement and hold everyone accountable for the agreements made.

It has been implemented for two full academic years now with similar results each year. While in the past, all of these most serious cases would have been decided by an authority or judicial process (except for a few that might have been sent to our center for mediation) now all except one case each year have been resolved in community justice conferences. Only one each year proceeded to the judicial system.

Note again the dramatic change did not happen just with a change in our goal statement, it was due to the change in structure that was consistent with the goal statement.

Judge Fred McElrea of New Zealand says it this way: “I believe that we can design a system that repairs relationships and teaches respect, even where there was none before. When that happen, he says, we will truly have a system of justice—not a sterile rule bound creature but one that breaths the spirit of justice”

I think that our Fresno County juvenile justice system could demonstrate similar, or at least very significant results if we would just be willing to try it out. Our Board of Supervisors has already put into their legislative platform agenda a three year pilot project based on restorative justice. We have applied for a grant to hire a person to provide full time leadership to bringing community and system leaders together to develop a pilot project. Our criminal justice leaders will need your support if they are going to make the bold decision to try out restorative justice.

I am also hopeful that similar significant structural changes will be made in our public school discipline systems. Roxanne’s classroom and school at Raisin City are great demonstrations that provide hope for transforming school structures to embody restorative justice principles and practices.

Bishop Tutu says it like this: “Restorative Justice gives up on no one. No one is a totally hopeless and irredeemable case. We all remain the children of God, even the worst of us. We all, even the worst of us, retain the capacity to become saints.”

I am honored to receive this award and hope that it will in some way help to move us in our community to transform our structures, and in turn cause peace and restorative justice in our community to increase, and in these ways, to better serve the common good for all of our friends and neighbors, and especially those who are seen as enemies.

Thank you again.

Shalom