

RJUS 220

4 Units

**Restorative Justice: Principles, History & Pastoral Ministry
Santa Clara University
Instructor Contact Information and Office Hours**

Instructor: Suzanne Neuhaus, M.A.

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Cell Phone: (714) 865-4814

Office Hours: Scheduled via Zoom, as necessary

Classroom: Diocesan Pastoral Center

3888 Paducah Dr.

San Diego, CA 92117

(Saturday classes may be held in person; if so, Zoom option available.)

I. Course Description

Restorative Justice is both a philosophy and an approach to responding to harm done to those impacted by crime, violence and wrong doing. Restorative Justice considers three primary stakeholders, including persons harmed (crime victims and/or survivors), persons responsible for causing the harm (offenders), and their respective communities. Characteristic of this breadth is concern for justice done through courts of law and the healing offered through various pastoral ministries. This course introduces the three pillars of restorative justice: addressing the harm done to victims and the desire for justice; the offender's obligations and need for accountability, and those of relevant communities to facilitate genuine healing and reconciliation to the extent possible, including pastoral sensitivity toward those who have a stake in the offense and its resolution course. This graduate level course focuses on Restorative Justice Principles and Practices.

The theological and historical foundations of Restorative Justice Theory and Practices will be explored in-depth. This course provides the necessary foundational knowledge for K-12 educators, higher education administrators, community leaders, peace and conflict resolution practitioners, and stakeholders in the criminal justice system who may employ restorative justice practices in their work. The course explores the needs and roles of key stakeholders (victims,

offenders, communities, justice systems), outlines the basic principles and values of Restorative Justice and introduces some of the primary models of practice. The course also explores some of the challenges to Restorative Justice, as well as possible strategies to mitigate the inherent challenges with a restorative approach to justice and discipline and an alternative to the current punitive model of justice. The course examines the historical roots of restorative justice found in a myriad of indigenous and ancient cultures, and the inter-faith religious basis for a restorative approach to justice.

The course is centered on the issues of crime, discipline and harm within a western legal and educational context. However, significant attention is given to applications and lessons of Restorative Justice from other cultures and contexts. Of particular interest is the contribution of religious and indigenous approaches to justice and school discipline as well as applications in post-conflict situations. Ultimately, the course explores Restorative Justice as a way of seeking justice in all contexts and as a way of life. The course is highly experiential, and all students will have ample opportunities to practice restorative principles as witnesses to restorative circles, victim-offender dialogues, and family circle conferencing.

III. Learning Outcomes

This course will specifically integrate two of the learning outcomes for the GPPM; Theological Foundation and Pastoral Proficiency.

II. Course Objectives

- To develop a critical understanding of the adversarial-retributive nature of the U.S. criminal justice system and in its manifestations in other areas of life.
- To develop an understanding of the current punitive model of the U.S. criminal justice system in comparison to a restorative model of justice.
- To develop an understanding of the theological, religious and indigenous foundations of Restorative Justice Theory and Practice.

- To develop an understanding of current K-12 and higher education disciplinary approaches, and appreciate how restorative justice may provide the most appropriate strategy in addressing student discipline.
- To develop a significant understanding of the Principles and Practices of Restorative Justice.
- To understand the challenges to Restorative Justice and responses to these challenges.
- To discern the role of educators, religious, legal and conflict-resolution practitioners and leaders in promoting and practicing a justice that meets the needs of victims, offenders, and communities.

III. Course Procedure

This course is offered in the fall quarter of 2023. The class will meet in person on the following Saturdays, as originally scheduled:

- Saturday, September 23, 2023, 9:00am to 3:00pm
- Saturday, October 28, 2023, 9:00am to 3:00pm
- Saturday, December 9, 2023 9:00am to 3:00pm

The class will meet via Zoom on Wednesdays from 6:30pm to 8:30pm throughout the fall quarter of 2023 (see course schedule). There will be no class on the following Wednesdays, September 27, October 4, November 22, and December 6, 2023.

The class will include presentations from the instructor, class discussions of the assigned readings, conversations with victims, offenders and community members, and participation in different restorative practices. This class will be highly experiential.

IV. Course Textbooks/Readings

Conway, Trudy D., Matzko, David & Schieber, Vicki (2017). *Redemption and Restoration: A Catholic Perspective on Restorative Justice*. Collegeville, Minnesota: Liturgical Press.

Pranis, Kay. (2005). *The Little Book of Circle Processes: A New/Old Approach to Peacemaking*. New York, New York: Good Books.

U.S. Conference of Catholic Bishops (2000). *Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice*.

<http://www.usccb.org/issues-and-action/human-life-and-dignity/criminal-justice-restorative-justice/crime-and-criminal-justice.cfm>

Zehr, Howard. (2015). *Changing Lenses: Restorative Justice for Our Times* (25th Anniversary Edition). Harrisonburg, Virginia: Herald Press.

Zimmerman, Jack & Coyle, Virginia. (2009). *The Way of Council* (2nd ed.). USA: Bramble Books.

Note: Additional readings and supplementary readings will be available on the course Camino site.

V. Requirements and Grading

A primary responsibility in this class is active weekly participation. It is important that you attend class sessions via Zoom and engage in class discussions. All students are expected to do the required reading, write a one-page weekly reflection on the readings and to actively participate in class. Class discussions will be made based on assigned readings, the contributions of guest speakers, and a review of the assigned videos. In addition, students are required to write three (3) brief papers for this class.

1. A weekly one page critical and self-reflective paper on the readings for the week due by the evening before the next scheduled class. The instructor will read each reflective-paper before the class and incorporate ideas and questions from the papers in the class discussion.
2. Paper (3 pp. double-spaced with endnotes as appropriate). This paper should address the Principles of Restorative Justice and the theological foundation of restorative justice. The paper should draw primarily on course readings, as defined in the required reading lists, class discussions and your experience: How, from your own experience, do the **principles** of restorative justice respond to your experiences of harm and offense? How do they satisfy the needs for justice for victims, offenders and communities? **(Due: October 29, 2023)**
3. Paper (3 pp. double-spaced with endnotes as appropriate). This paper, based on the readings, classroom discussion and your own experience, will be your own critical assessment of restorative justice **practices. (Due: November 26, 2023)**

4. Final “Integrative” Paper (8-10 pp. double-spaced with endnotes as appropriate). A Critical Assessment of Integrating Restorative Justice Principles and Practices into our Social Order. What do you see as the future for restorative justice in our social order, educational and in our legal system? What are the critical issues for you with restorative justice principles and practice? How does a religious understanding of justice (from any tradition) address some of these critical issues? What suggestions do you have for addressing these issues and integrating restorative justice principles and practices into our social order? This paper should thoughtfully engage course materials, class discussion and your experience *OR*: If you have a particular topic related to restorative justice, which you would like to explore in depth, you can email a suggested paper topic to me for consideration and approval. This paper should thoughtfully engage course materials, classroom discussion and your experience. **(Due: December 10, 2023)**

Grading

Class Participation (30%)

Weekly Reflection Papers (15%)

Two “Secondary” Papers (15% each or 30%)

Final Integrative Paper (25%)

VI. Disabilities Statement

If you have a disability for which accommodations may be required in this class, please contact Disabilities Resources, Benson 216, www.scu.edu/disabilities as soon as possible to discuss your needs and register for accommodations with the University. If you have already arranged accommodations through Disabilities Resources, please discuss them with me during my office hours. Students who have medical needs related to pregnancy or parenting may be eligible for accommodations.

While I am happy to assist you, I am unable to provide accommodations until I have received verification from Disabilities Resources. The Disabilities Resources office will work with students and faculty to arrange proctored exams for students whose accommodations include double time for exams and assisted technology. (Students with approved accommodations of time-and-a-half should talk with me as soon as possible). Disabilities Resources must be contacted in advance to schedule proctored examinations or to arrange other accommodations. The Disabilities Resources office would be grateful for advance notice of at least two

weeks. For more information, you may contact Disabilities Resources at (408)554-4109.

VII. Course Schedule

Saturday, September 23, 2023, Class One:

Introduction, Course Overview, Restorative Justice from the U.S. Catholic Bishop's Perspective

- Introductions
- Overview of Class
- Overview of Our Criminal Justice System and the Church's Position on Crime and Punishment

Required Reading (103 pp.):

U.S. Conference of Catholic Bishops (2000). *Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice.*

<http://www.usccb.org/issues-and-action/human-life-and-dignity/criminal-justice-restorative-justice/crime-and-criminal-justice.cfm>

Conway, Trudy D., Matzko, David & Schieber, Vicki (2017). *Redemption and Restoration: A Catholic Perspective on Restorative Justice.*

Collegeville, Minnesota: Liturgical Press. pp. 1-83

(Note: There will be no class on either Wednesday, September 27, or Wednesday, October 4, 2023.)

Wednesday, October 11, 2023, Class Two:

Theological and Historical Foundations for Restorative Justice

- Old Testament and New Testament foundations for Restorative Justice
- Catholic Social Teaching and Catholic Social Thought

Required Reading (49 pp.)

Conway, Trudy D., Matzko, David & Schieber, Vicki (2017). *Redemption and Restoration: A Catholic Perspective on Restorative Justice.*

Collegeville, Minnesota: Liturgical Press. pp. 87-136

Wednesday, October 18, 2023, Class Three:

Punishment, Harm, Healing and Forgiveness

- The Criminal Justice system – punishment for punishment’s sake?
- Harms with offenders and victims
- Response of Retributive Justice and Restorative Justice
- Reconciliation and Forgiveness

Required Reading (64 pp.)

Conway, Trudy D., Matzko, David & Schieber, Vicki (2017). *Redemption and Restoration: A Catholic Perspective on Restorative Justice*.
Collegeville, Minnesota: Liturgical Press. pp. 137-201

Wednesday, October 25, 2023, Class Four:

Societal Change through a Restorative Justice Approach

- Understanding the issues with the punishment system and imprisonment
- Restorative Justice programs
- Restorative Justice in the Church and Parish Life

Required Reading (83 pp.)

Conway, Trudy D., Matzko, David & Schieber, Vicki (2017). *Redemption and Restoration: A Catholic Perspective on Restorative Justice*.
Collegeville, Minnesota: Liturgical Press. pp. 205-286

Saturday, October 28, 2023, Class Five:

What does justice require *for/from communities*?

- Addressing Systemic and Structural Injustice
- Response of Retributive Justice and Restorative Justice

What does justice require *for/from Crime Victims and Offenders*?

- The stakeholders in Restorative Justice: VOC
- Needs of Communities

Required Reading (87 pp.)

Zehr, Howard. (2015). *Changing Lenses: Restorative Justice for Our Times* (25th Anniversary Edition). Harrisonburg, Virginia: Herald Press. pp. 9-97

Wednesday, November 1, 2023, Class Six:

Community Justice and Covenant Justice

- Community Justice
- Canon Law Justice
- Covenant Justice
- Living in Harmony

Required Reading (59 pp.)

Zehr, Howard. (2015). *Changing Lenses: Restorative Justice for Our Times* (25th Anniversary Edition). Harrisonburg, Virginia: Herald Press. pp. 99-158.

Wednesday, November 8, 2023, Class Seven:

Restorative Justice Practices

- History and Overview
- VORP and Beyond
- Victim Offender Conferencing
- Peacemaking Circles
- Circles in Practice

Required Reading (83 pp.)

Zehr, Howard. (2015). *Changing Lenses: Restorative Justice for Our Times* (25th Anniversary Edition). Harrisonburg, Virginia: Herald Press. pp. 159-177.

Pranis, Kay. (2005). *The Little Book of Circle Processes: A New/Old Approach to Peacemaking*. New York, New York: Good Books. pp. 3-73

Wednesday, November 15, 2023, Class Eight:

Sitting in Circles and Victim Offender Dialogue

- History and Overview

- The Process
- The Experience of VOD and Circles

Required Reading (116 pp.)

Zimmerman, Jack & Coyle, Virginia. (2009). *The Way of Council* (2nd ed.). USA: Bramble Books. pp. 1-116

(Note: There will be no class on Wednesday, November 22, 2023.)

Wednesday, November 29, 2023, Class Nine:

Circle Processes

- On Leadership: Becoming a Carrier of Council
- Stewardship
- The Experience—In the Circle

Required Reading (24+ pp.)

Zimmerman, Jack & Coyle, Virginia. (2009). *The Way of Council* (2nd ed.). USA: Bramble Books. pp. 116-140 plus student's choice to read one additional chapter (Chapter 7, 8, 9 or 10)

(Note: There will be no class on Wednesday, December 6, 2023.)

Saturday, December 9, 2023, Class Ten

Living a Restorative Life

- The Application of Restorative Justice to all aspects of your life
- Restorative practices in education, organizational life and family life
- Truth, Justice and Reconciliation

Required Reading (70 pp.)

Zehr, Howard. (2015). *Changing Lenses: Restorative Justice for Our Times* (25th Anniversary Edition). Harrisonburg, Virginia: Herald Press. pp. 179-249.

VIII. Title IX Syllabus Statement

Santa Clara University upholds a zero-tolerance policy for discrimination, harassment and sexual misconduct. If you (or someone you know) have experienced discrimination or harassment, including sexual assault, domestic and

dating violence or stalking, we encourage you to tell someone promptly. For more information, please go to www.scu.edu/studentlife and click on the link for the University's Gender-Based Discrimination and Sexual Misconduct Policy or contact the University's EEO and Title IX Coordinator, Belinda Guthrie at 408-554-3043 or by email at bguthrie@scu.edu. Reports may be submitted online through www.scu.edu/osl/report or anonymously through Ethicspoint: www.ethicspoint.com

IX. Academic Integrity Policy

The University is committed to academic excellence and integrity. Students are expected to do their own work and to cite any sources they use. A student who is guilty of a dishonest act in an examination, paper, or other work required for a course, or who assists others in such an act, may, at the discretion of the instructor, receive a grade of F for the course. In addition, a student found guilty of a dishonest act may be subject to sanctions up to and including dismissal from the University as a result of the student judicial process as described in the Community Handbook. A student who violates copyright laws, including those covering the copying of software programs, or who knowingly alters official academic records from this, or any other institution is subject to similar disciplinary action.

X. Academic Integrity Pledge

The Academic Integrity pledge is an expression of the University's commitment to fostering an understanding of—and commitment to—a culture of integrity at Santa Clara University. The Academic Integrity pledge, which applies to all students, states:

I am committed to being a person of integrity. I pledge, as a member of the Santa Clara University community, to abide by and uphold the standards of academic integrity contained in the Student Conduct Code.

Students are expected to uphold the principles of this pledge for all work in this class. For more information about Santa Clara University's academic integrity pledge and resources about ensuring academic integrity in your work, see www.scu.edu/academic-integrity.