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Peace Profile: Dominic Barter

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Oakland, October 2009. The man I take to be Dominic Barter walks to the front of the large room. He is thin, with dark hair that somehow manages to look both uncombed and tidy. Despite the clearly evident stubble and graying hair, he looks remarkably youthful, but as he begins to speak, it becomes immediately clear that his is an old soul. He is captivating, enthralling, practically mesmerizing. A modern-day Pied Piper, I think to myself.

I do not mean this pejoratively. He is not selling anything money can buy. He is “sharing” an idea, a vision for an alternative system of “doing justice” that resonates with the kind of community many of us dream of living in. More than that, he is sharing something tangible, real systems that he has built from the ground up in different parts of Brazil. This is not Neverland. We can visit these places. We can see these justice systems with our own eyes. We can replicate them in our own communities.

The pull is irresistible. This is a person others want to follow. Some literally do, leaving their jobs and homes to travel with him, to Brazil, to Toronto, and most recently to Oakland—looking for ways to contribute to his work, but mostly, I think, to just be in his company. There are, after all, ways to contribute without taking on a nomadic existence. I do not blame them. There are times I too find myself contemplating an extended visit to Brazil. I have no doubt it would be time and money well spent.

Dominic Barter’s big idea is that conflict—any conflict—is neither undesirable nor dangerous, that the danger lies not in conflict itself, but in ignoring or attempting to repress it. Thus, Barter argues, it makes sense to approach conflict through dialogue, rather than through punishment or judgment. The idea is not his, as he would be the first to acknowledge. To the contrary, restorative justice has been practiced in many places across the world, not only recently but far, far back in history. And yet, Barter’s approach is uniquely his. For more than 20 years, he has been imagining, developing, and adapting the Restorative Circle (RC) process by experimenting with every possible detail. The result is not so much a conclusion about what works and what does not as a sense of what is essential and what is flexible.

What so far appears essential are: first, a theory of conflict that sees painful actions not as “good” or “bad,” but rather in terms of what they seek to communicate, second, a collective agreement to approach conflict through dialogue, and third, a particular dialogue process that increases the probability of transformative action. The key elements of the collective agreement cover the minimum conditions necessary to produce a systemic response to the pain and damage that often accompany conflict. Crucially, what Barter has named the restorative system aims to create a dedicated space owned by and accessible to everyone covered by the agreement, within which power is shared, even if only temporarily. He notes that when such a systemic container is not consciously created, the group inherits and reproduces the dominant cultural system, which is often punitive, and typically has the effect of making dialogue less productive.

Importantly, this is not a cookie-cutter approach. The specific method for hosting these encounters emerges directly from the actual process of communities examining what’s working and what is not in regard to conflict, and exploring how it would ideally be. At the same time, of the many such practices Barter has participated in designing, those most capable of increasing community well-being tend to share certain characteristics, including three distinct gatherings, which, for the purposes of explaining the process to others, he names the Pre-Circle, the Circle, and the Post-Circle. Although each will have their own name and specific properties based on the choices of that particular local community, the preliminary meetings done individually or in small groups generally focus on identifying a specific act within the timeline of the conflict, hearing the meaning that act has for each participant, and checking if the process going forward is clear. Here, as well, those involved decide who else needs to participate and whether all present are willing to go ahead. Since each conflict and group of participants are different, this is the time to make any adjustments to the process, so that it considers each of the individuals present. This is done within the structure decided beforehand, for consistency and fairness in the process. It is here that trust with the facilitator is established, and a shared understanding of what will happen in the Circle is developed. Everyone who participates in the Circle first goes through such a process.

The Circles also differ between groups, with unique cultural elements and process details reflecting the values of the particular community. Here, again, however, those that have proven to be most effective and long-lasting are those that have found ways to bring out three key moments in the process, which Barter calls mutual understanding, self-responsibility, and agreed action. The phases are not linear, but (what else?) circular, which is to say that the process loops back to one of the first two stages if necessary, until all the parties agree on one or more future actions.

These actions are essential. It is the actions, voluntarily chosen and carried out, which repair harm and potentially restore relationships. Although tempting in the name of time efficiency to skip over the first two phases, actions chosen before understanding the intentions and the consequences of conflict are far less likely to produce lasting benefit. It is this understanding that increases the probability that those actions will impact not just the choices people make, but also the conditions that make harmful choices more or less likely. This is the goal of both “mutual understanding” and “self-responsibility”—to facilitate this kind of understanding, which, in my experience, is rarely achieved outside the Circle. What makes such understanding possible within the Circle is a particular dialogue process in which what a listener hears is checked with what the speaker wants to be known, until the speaker is satisfied that the underlying meaning of their expression—including their silences—has reached and touched the listener.

When the action agreements are finalized, they include time specifications, after which the Post-Circle is scheduled for the purpose of allowing those involved to check in with each other about how things have unfolded following the Circle. Sometimes agreements are followed, but the people involved are not satisfied. Sometimes the opposite happens. It’s not a particularly fast process. It’s not supposed to be. Real understanding takes time.

What Barter is doing in the workshop is remarkably simple: He is just talking—explaining ideas, providing context, sharing personal examples of how he has tried to introduce his approach to others, and how the implementation turned out in a particular place with a particular group. Almost all of the examples demonstrate some error on his part, some failure to do the right thing. The effect is remarkable. It humanizes him, makes him accessible. He is like us. He screws up. A lot. It makes the system-building accessible too. It does not have to be implemented perfectly. It does not take a genius to make it work. I scan the room and see that others are having a similar reaction. We like this man. We like his ideas. We know we cannot be like him, but we think that maybe we can implement his ideas and build our own justice systems.

Barter speaks for hours—with breaks and interspersed with role-playing opportunities for others—but nevertheless the attention of everyone in the room is on him for at least half of each eight-hour day. He uses no notes, and with the exception of a few slides and a short video clip, no visual aids. I do not mind in the least. I do not think anyone does. His words are so clear and my mind so focused that it seems as though our brains are connected by wifi. The download process is not especially fast. I do not mind that either, because the words unfold poetically, in perfectly sized couplets. There are no wasted words, no tangents, nothing unessential. I find myself smiling as I take notes. I

hate taking notes. The mere fact that I am pulled to do it, to capture his exact words, is itself remarkable. That I am enjoying it is unfathomable. I do not even particularly like poetry. But then that's part of Barter's essence: He has a way of creating paradox.

There's a moment on the fourth day of the workshop when the poetry momentarily stops. Barter says he wants to share something that's "edgy" for him, something that he is nervous about saying because he is not sure that he can say it in a way that we can really hear. He talks briefly about the global impact of the School of the Americas (now officially known as Western Hemisphere Institute for Security Cooperation), how their training of torture techniques to the Brazilian military during the 20-year dictatorship has trickled down to the military police involved in many of the conflicts that come to Circle, how that U.S.-supported dictatorship and those torture techniques continue to facilitate the historical flow of resources from less dominant to more dominant nations. He realizes, he says, that he is talking to a mostly U.S. audience that is likely to be supportive of what he is saying, but not necessarily aware of their involvement in such dynamics. His purpose is not to blame but to have us be able to acknowledge such ongoing history and consider how it can be changed, as we learn justice work that was born within that context. The whole bit takes no more than a few minutes, after which he asks for feedback on his presentation.

A person he knows and respects responds. There's a piece missing for her; she says: an acknowledgment that the United States has its own poverty and violence and that we are struggling with how to address those issues here, even as we contribute to their presence abroad. Barter seems unable to hear/accept the feedback in the way it's intended. It's true, he says, but not related to the point he is trying to make. The person offering the feedback (let's call her Molly) tries again, but this second attempt fails too. The frustration is palpable. She becomes increasingly upset and tries to "withdraw" her comment. She does not want to continue the conversation, she says. She seems very sure and very committed to stopping. Barter persists.

This is one of Barter's paradoxes. His entire philosophy is based (partly) on the notion of shared power and everyone having full choice—in everything. Even these multi-day learning events—the primary source of financial support for both his work and his person—are offered as gifts, with participants invited to make a financial contribution of whatever amount they want (in a sealed envelope) if they want to choose to support his work—or simply accept the gift. There are no implied demands, no subtle expectations. The choice is a real one.

Also real is Barter's insistence that "no part of the process ends with 'no.'" The goal is freely chosen agreement—by all parties. Resistance of any

sort, including violence, is seen as communication, as feedback that something, possibly although not necessarily something in the room, is not working. The response is to find something that does work: What are the different needs that are not being met? How might we get them met without compromising the needs important to others?

There is real conflict in the room. I am so anxious to see how Barter handles the “live” situation that I forget all about my notes. He turns his attention away from the audience and focuses fully on Molly. They begin to talk, but it’s clear that it’s not his words that are important (another paradox), but the clear expression of his intention. He cares about her. He wants to understand and connect. Within minutes, something shifts. Her frustration fades. Her distress dissipates. I feel my eyes tearing. A woman leaves the room crying. The connection between Barter and Molly feels so strong in the moment that I can only describe it as love.

That too is a paradox. We do not talk about love in the context of non-intimate acquaintanceship. We have other words that are supposed to capture those feelings: respect, admiration, perhaps even infatuation. None of them work here. In that moment, and with no expectation that it will necessarily last beyond that moment, it is love.

The Restorative Circles origin story is itself a love story. In 1990, the England-born Barter is living in the Netherlands. He meets and falls in love with a woman from Brazil, but she has to return to her own country relatively soon after. As the long-distance phone bills pile up, it becomes evident that a plane ticket would be much cheaper, so in 1992 Barter travels to Brazil for the first time. Between 1992 and 1999 (when he finally settled permanently in Rio), there are many more visits, some short, some longer. As Barter tells it, it did not take long to fall in love with the other two hundred million Brazilians.

But the pain of Brazil’s colonial history is part of the origin story too. In Rio de Janeiro alone, 5,000 people are killed by gun violence every year. Barter talks of his shock upon arriving in Rio, at seeing the stark separation between the rich and the poor, between the light- and dark-skinned. It is “apartheid” he thinks, only without the public exposure and formal recognition. As he tells it, there was no way to remain neutral and he was unwilling to continue to live in Brazil and not actively engage with this social reality. Unsure how to respond, and expecting his girlfriend and friends would try and dissuade him, he decides (in late winter of 1995) to simply walk into the nearest favela.

Initially, he says, the only people who would speak to him, an outsider with a still very elementary grasp of Portuguese, were children. Over time, Barter says he noticed that, when they shared some meaningful event together, the sense of connectedness increased, and when he tried to help, that con-

nectedness diminished. Sharing joy was not so strange, but sharing the pain, especially when mixed with the fear and danger that conflict often brings, was counterintuitive to him. He became fascinated by how to do that; how to be with others as they suffer the consequences of conflict. As his relationships with the kids expanded, connections with adolescents and then adults also started to form. Through this relationship-building, looking together at how to create safe spaces to experience conflict, Restorative Circles emerged as a practice of community care. Over several years, and still to this day, it develops by continually trying new things and paying attention to what works and what does not.

The stories of love are evidence of RC's powerful interpersonal impact, but this impact is mostly made possible by RC's firm grounding as a systemic response. Restorative Circles are a way of interrupting the school-to-prison pipeline and an alternative to mass incarceration, a way of addressing issues of power and privilege in schools, a way to turn a police shooting of an unarmed First Nations woodcarver into a more culturally competent and community-centered police department and, more generally, a way for communities to take back their conflicts.

This systemic response—what Barter calls “a restorative system”—is one of the elements that separates these Circles from many other restorative practices. The “system” refers to the institutional or community agreements that dictate how a community responds to conflict. Among other things, it includes the design of the practice, the way a Circle is initiated, the place(s) where the Pre-Circles and Circles happen, and the specifics regarding who will facilitate a particular conflict and how such facilitators are chosen, prepared, and supported. In legal systems, this will include the many places of interaction with a hierarchical justice structure. In schools and organizations, it might also include aspects like hiring decisions, job descriptions, compensation, and reporting structure. In all cases, it includes establishing priorities regarding punishment versus restoration and time to work out questions and issues that no one can foresee prior to gathering for this purpose—to imagine a systemic response that is different and more effective than the one it is replacing.

Once the system agreements are in place, the actual restorative process is remarkably empowering. Part of the reason is that the essentials are few and seem easy to master. Another part is that Barter stresses a minimalist approach. “When I facilitate a Circle,” he says, “I intensely desire everyone’s well-being and that’s why I try to do nothing to help them.” It’s yet another paradox, but coming from Barter, it sounds perfectly logical. The goal, after all, is not to help or fix, but to create a container for truth and understanding. The facilitators Barter says he enjoys observing most are those under the age of 10. Why not? In Barter’s world, schoolchildren spontaneously break out

into a Restorative Circle during recess. The message sinks in: Facilitating a Circle is child's play: Anyone can do it.

What started as a brave trek into the unknown has evolved into an important part of the international restorative justice movement. Since the first pilot projects in the formal Brazilian justice system in 2005, the RC process has spread to 45 countries, including those in Africa, Asia, Australia, Europe, North America, and of course South America. In some cases, these are formal projects with extensive documentation. In others, as in a nomadic tribal dispute over goats somewhere near the border of Senegal, Mauritania, and Mali, they are stories of informal Circles that have made their way back to Barter.

Empirical evidence is still sparse, but what exists is promising. The United Kingdom's National Endowment for Science, Technology, and the Arts (NESTA) listed RCs as one of its ten "radically efficient" innovations. In their 2012 report, they describe survey data of 400 RCs in São Paulo that showed that 93 percent ended in agreement, while another study showed that in 2009, after school-wide adoption of RCs in the Campinas Municipal School District, there was just one arrest, compared to 71 such student arrests the previous year, a 98 percent decline. Used as a re-entry program in a different district in Brazil, NESTA reports that RCs led to a 28 percent increase in young people being re-admitted into school. In the United States, Ortega et al. found that after an urban high school in Virginia adopted the RC process, students reported fewer punishments, less police contact, less destructive peer conflict, and improved relationships, as well as academic and social achievement.

This is perhaps Barter's ultimate paradox, and the reason that I am so excited about the possibilities: For all his exceptional and unusual combination of gifts, the RC systems Barter and others have created do not require any of them. RC's power-sharing philosophy, universal accessibility, and uncanny effectiveness have their own appeal, entirely independent of their founder. I do not think he would have it any other way.

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