RJUS 220: Restorative Justice: Principles, History & Pastoral Ministry
4 Units

Santa Clara University

Instructor and Teaching Assistant Contact Information and Office Hours

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Classroom: Santa Clara Conference Room at Diocesan Pastoral Center

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I. Course Description

Restorative justice considers the harm done to victims, and also 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: harm done to victims and the desire for justice; the offender’s obligations, and those of relevant communities to facilitate genuine reconciliation; 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 - the dangers, the pitfalls – 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 justice approach.

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 participants in restorative circles, victim-offender dialogues, and family circle conferencing.

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 winter quarter of 2020. The class will be in-person at the Diocese of San Diego Pastoral Center on the following dates:

- Saturday January 4th, 2020 9:00am to 3:30pm in the Santa Clara Conference Room
- Saturday February 1st, 2020 9:00am to 3:30pm in the Santa Clara Conference Room
- Saturday March 7th, 2020 9:00am to 3:30pm in the Santa Clara Conference Room

The class will meet via zoom on Tuesdays from 6:00pm to 8:30pm throughout the winter quarter of 2020 (see course schedule).

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


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. All students are expected to do the required reading, write a one-page weekly reflection on the readings and to actively participate in class. Oral assignments will be made based on class readings. 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 class on 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 of victims, offenders and communities? (Due: January 28th, 2020).

3. Paper (3 pp. double-spaced with endnotes as appropriate) This paper, based on the readings, class room discussion and your own experience, will be your own critical assessment of restorative justice practices. (Due: February 28th, 2020).

4. Final “Integrative” Paper (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: March 10th, 2020).

Grading
Class Participation and weekly reflection papers (20%)
Two “Secondary” Papers (20% each or 40%)
Final Paper (40%)
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 January 4th, 2020   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 (c. 103 pp.):
Tuesday January 14th, 2020  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.)**


Tuesday January 21st, 2020  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.)**


Tuesday January 28th, 2020 - 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 (81 pp.)**

Saturday February 1st, 2020  Class Five--What does justice require for/from communities?

- The stakeholders in Restorative Justice
- Needs of Communities
- Addressing Systemic and Structural Injustice
- Response of Retributive Justice and Restorative Justice

**Required Reading (84 pp.)**


Tuesday February 11th, 2020  Class Six  Community Justice and Covenant Justice

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

**Required Reading (63 pp.)**


Tuesday February 18th, 2020  Class Seven  Restorative Justice Practices

- History and Overview
- Victim Offender Dialogue
- Restorative Circles
- Family Group Conferencing

**Required Reading (67 pp.)**


Tuesday February 25th, 2020  Class Eight  Sitting in Circles and Victim Offender Dialogue

- History and Overview
- The Process
- The Experience of VOD and Circles

Required Reading (66 pp.)

Tuesday March 3rd, 2020  Class Nine  Circle Processes

- History and Overview
- The Process
- The Experience—In the Circle

Required Reading (74 pp.)

Saturday March 7th, 2020  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 (65 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)

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.