Restorative Justice: Tribal Justice in a Corporate World
COMM_4600: Senior Seminar in Organizational Communication
Spring 2008
TR 11:00-12:30
HLMS_185

INSTRUCTOR:
William Bledsoe, PhD (not soon enough)
CU Restorative Justice Program Advisor
Email: will@restorativeway.com
Office: TBA
Hours: by appt. – I’m always available right after class. If this doesn’t work for you, let’s schedule a time. I typically meet with students in the UMC over a cup of java.

COURSE DESCRIPTION:
We live in a world where what it means to be human is increasingly determined by corporate enterprise. One consequence of this global development is a reconfiguration of human social relationships that in various ways works against cultures of interdependency and the building of self-sustainable communities.

In this course we approach this dilemma by first reviewing the theoretical discourse of an ancient, indigenous form of “justice” known contemporarily as “Restorative Justice.” We will then apply it as a method of critical analysis of discourses of power and control residing in various organizational/corporate and institutional contexts; both local and global. That’s the ‘institutional description of the course. This course is really nothing more, and nothing less, than a conversation about what people are doing to each other and how RJ might shift that to what people can do for each other. Idealistic? You bet.

COURSE OBJECTIVES:
The course is designed to:
1. Introduce you to Restorative Justice:
   ◆ As a philosophy and theory of “justice” that predates western civilization.
   ◆ As an alternative local and global practice and discourse of “justice.”
2. Enable you to use the above as a means of analyzing and criticizing:
   ◆ situations, circumstances and events constituting current local and global crises (conflict; crime; terrorism; genocide; war)
   ◆ institutional, organizational and corporate discourse constituting a response to the above (municipal and criminal justice; political reconciliation)
3. Provide you with a clear understanding of how organizational/institutional discourses constitute and predict social outcomes resulting in lived experience(s). Blah, blah, blah…
4.

COURSE AGENDA:
Section One: Restoration as the Emergence of Justice
♦ Western Spiritual Traditions: Creation and its implications for “relationship.”

Section Two: RJ as a Theoretical and Critical Discourse of Justice
♦ The Institutional Appropriation of ‘retribution’ for Political Power
♦ The counter-Institutional Discourse of Repentance and Rehabilitation
♦ The current-Institutional Discourse of Justice-as-Healing

Section Three: RJ as a Local Institutional Discourse of Accountability and Repair
♦ Municipal Violations and the ‘Town-Gown’ Community
  ✓ CU and the Community of Boulder
♦ Criminal Violations and the Criminal Justice System
  ✓ Homicide; Domestic Violence; Child Abuse; Rape;
  ✓ Corporate Crime

Section Four: RJ as a Global Institutional Discourse of Reconciliation
♦ the Rhetoric of the Truth and Reconciliation Commission
  ✓ South Africa
  ✓ Northern Ireland
  ✓ Rwanda
  ✓ 9/11 and Terrorism
  ✓ Iraq

EVALUATION:
• Total Points - 500
• 4 Papers; 4-6 pgs each; 100 pts. each
• Attendance and Participation: 100 pts. – look, I don’t need reasons as to why you aren’t here. The fact is this class isn’t about you or me; it’s about us; if you don’t show…we don’t get your contribution; the ‘us’ doesn’t happen; and that’s a violation of relationship as RJ defines. That’s why attendance is weighted so heavily. I’m not in to absence.

*Late Paper Policy:
• Papers are due at beginning of class on the due date – and must be stapled.
• Late papers will not be accepted without an official documentation explaining the reason thereof; I don’t baby sit.
• Papers will not be accepted via Email

**Please note – computer malfunctions do not constitute an acceptable reason for not submitting a paper by its deadline. Please do not ask me to make an exceptions.

***To do well in the course and make each meeting more meaningful for everyone else, you have to do the reading. If we all read the articles, we will all come ready to ‘have discourse’ about RJ and the discourse will be lively!

COURSE TEXTS:

**COURSE READINGS:**
Course readings will be emailed to you. Why? Economy. I do this to fight the rising cost of education.

**COURSE POLICIES:**

*Disability:*
If you qualify for accommodations because of a disability, please submit to me a letter from Disability Services in a timely manner so that your needs may be addressed. Disability Services determines accommodations based on documented disabilities. Contact: 303-492-8671, Willard 322, and <www.Colorado.EDU/disabilityservices>

Disability Services' letters for students with disabilities indicate legally mandated reasonable accommodations. The syllabus statements and answers to Frequently Asked Questions can be found at <www.colorado.edu/disabilityservices>

**Religious Observances:**
Campus policy regarding religious observances requires that faculty make every effort to reasonably and fairly deal with all students who, because of religious obligations, have conflicts with scheduled exams, assignments or required attendance.

I do not count as ‘absent’ any class meetings missed for religious observances. I do, however, request that you notify me at the beginning of the semester about which meeting(s) you will need to miss. See full details at http://www.colorado.edu/policies/fac_relig.html

***Academic Misconduct:***
All students of the University of Colorado at Boulder are responsible for knowing and adhering to the academic integrity policy of this institution. Violations of this policy may include: cheating, plagiarism, aid of academic dishonesty, fabrication, lying, bribery, and threatening behavior. All incidents of academic misconduct shall be reported to the Honor Code Council (honor@colorado.edu; 303-725-2273). Students who are found to be in violation of the academic integrity policy will be subject to both academic sanctions from the faculty member and non-academic sanctions (including but not limited to university probation, suspension, or expulsion). Other information on the Honor Code can be found at http://www.colorado.edu/policies/honor.html and at http://www.colorado.edu/academics/honorcode/

****Classroom Behavior:****
Students and faculty each have responsibility for maintaining an appropriate learning environment. Students who fail to adhere to such behavioral standards may be subject to discipline. Faculty have the professional responsibility to treat all students with understanding, dignity and respect, to guide classroom discussion and to set reasonable limits on the manner in which they and their students express opinions. Professional courtesy and sensitivity are especially important with respect to individuals and topics dealing with differences of race, culture, religion, politics, sexual orientation, gender
variance, and nationalities. Class rosters are provided to the instructor with the student's legal name. I will gladly honor your request to address you by an alternate name or gender pronoun. Please advise me of this preference early in the semester so that I may make appropriate changes to my records. See policies at http://www.colorado.edu/policies/classbehavior.html.

*****Electronic Devices:
Under no circumstance is it ever allowed to record the interaction and/or lectures occurring during class. This includes the use of any and all devices such as: tape recorders; digital voice recorders; and/or any type of video cameras attached to laptops, cell phones or otherwise.

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### CALENDAR

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<tr>
<th>Week 1</th>
<th>Intro to Course</th>
<th>Philosophical Discourse</th>
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<tr>
<td>Tuesday: Lecture</td>
<td>Syllabus: Introduction to course; description; readings; and expectations</td>
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<td>Thursday: Lecture – Introduction to Restorative Justice: a Justice of Relationship</td>
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<td>Philosophical Discourse (2wks)</td>
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<td>Indigenous Roots and Metaphysical Origins of ‘Restoration’</td>
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<td>Mythic Origins: ‘emergence’ vs. ‘creation’</td>
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<td>Symbolic – the circle as sacred earth navel and/or ‘place of emergence’</td>
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<td>The nature of the human being and…</td>
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<td>Ceremony and a return to ‘balance’ (hozho)</td>
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<td>The nature and purpose of ‘community’</td>
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<td>Interdependence</td>
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<td>Communitarianism vs. Individualism</td>
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<th>Week 2</th>
<th>Philosophical Discourse cont’d</th>
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<tr>
<td>Tuesday: Readings &amp; Discussion 1/22</td>
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<td>Peacemaking systems: Justice as ‘Healing’</td>
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<td>Navajo – “Indian Restorative Healing” James Zion [reading] (10pgs)</td>
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<td>Cree/Ojibwa – “Original Sanctity” Rupert Ross [reading] (11pgs)</td>
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<td>Thursday: 1/24</td>
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<td>Western Spiritual Traditions</td>
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<td>“Multifaith Reflection on Criminal Justice” – Michael L. Hadley [reading] (30pgs)</td>
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<td>“Empathy and restoration” – Hal Pepinsky [reading] (10pgs)</td>
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<th>Week 3</th>
<th>Moral Discourse Cont’d</th>
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<td>Tuesday: 1/29 Western Traditions cont’d</td>
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<td>“Restorative Justice and the Philosophical Theories of Criminal Punishment” – Conrad G. Brunk [reading] (26pgs)</td>
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<td>Thursday: 1/31</td>
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<td>PAPER ASSIGNMENT ONE – 100 pts. (4-6 pgs)</td>
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<td>Briefly review the stated goals of indigenous RJ; (1 page)</td>
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<td>Contrast these goals with a traditional western approach to criminal justice; (1 page)</td>
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<td>Because these goals are decidedly different than what we might typically encounter in a traditional approach to a criminal violation – i.e., “healing and restoration” vs. “punishment and retribution” - how might we begin to interpret a restorative justice conference/process as a communication event? Draw upon your disciplinary knowledge of various interpretive approaches typically used in communication theory. Think in terms of research. (2 pages)</td>
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<td>After indicating various approaches, also indicate what questions these approaches generate. (1 page) [adapt this for PRJM]</td>
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## Week 4
### Theoretical Discourse
**Tuesday: 2/5 Paper One Due:**
- **Theoretical Discourse** (2wks) – a Theory of Contemporary Justice: how it works.

- What are the precepts/principles and practices?
  - “Visions and Patterns” Ch.1 (14pgs; text)
  - “Streams and Structures” Ch.2 (20pgs; text)
  - (T) “Restorative Justice: Justice That Promotes Healing” – Ch.3 (13pgs)

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## Week 5
### Theoretical Discourse cont’d
**Tuesday: Theory cont’d**
- (T & TR of Week Four & Five) Encounter/Amends/Reintegration/Integration – Ch.4-7 (approx. 100pgs)

**Thursday: cont’d**

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## Week 6
### Critical Discourse
**Tuesday: Critical Discourse**
- **Critical Discourse:** Objections: Can/should western justice pursue healing?
  - “Conceptual Objections to Restorative Justice” – Ch.8 (55pgs.)
  - “Practical Objections to Restorative Justice” – Ch.9 (20pgs)

**Thursday: cont’d**
- “The limits of restorative justice” – Kathleen Daly [reading] (10pgs)
- “Restorative justice and recidivism: Promises made, promises kept?” – Bonta, Jesseman, Rugge and Cormier. [reading] (10pgs)
- PAPER ASSIGNMENT # 2 - 100 pts.
  - DUE 10/9 IN CLASS
  - NO LATE or EMAILED PAPERS ACCEPTED

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## Week 7
### Institutional Discourse(s)
**Local**
- **Institutional Discourse(s): Local** - In this section we look at where RJ ‘exists’ in the social landscape, both locally and globally. What we see is that RJ attempts to both work within institutional discourse while simultaneously rejecting it in practice.
  - Local - Municipal/Civil Justice: Misdemeanor Crime and a “CommUniversity”
    - CURJ “Impact Video” (20 minutes)

**Thursday: CURJ**
- CURJ vs. CU’s Office of Judicial Affairs – what works; what doesn’t; why? [*phronesis vs. formal education; “student development”]
  - The Accountability Conference and CU’s student development model

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## Week 8
### Institutional Discourse(s)
**Local**
- **Institutional Discourse(s): Local** – criminal justice

**Tuesday: Institutional cont’d – criminal justice**
- **Criminal Justice: Serious Crime and a non-Institutional Discourse** (2 weeks)
  - **Homicide**
    - Film: “Facing the Demons” (60 minutes)
    - Umbreit and “Violent Offender Mediation”
      - “Texas Case Studies” [reading] (20pgs)
      - Michael Radelet’s (CU Dept. of Sociology) response [reading]
        - “Murder victims’ families for reconciliation” – Judith Kay [reading] (13pgs)

**Thursday:**
- **Homicide cont’d**
  - Film: “Chicago Matters: A Justice That Heals”
### Week 9
#### Institutional Discourse(s) Cont’d
- **Local**
  - **Tuesday:** Criminal Justice cont’d
    - Domestic Violence & Child Abuse
      - “Stopping domestic violence or protecting children?” – Joan Pennell [reading] (10pgs)
  - **Thursday:**
    - Domestic Violence cont’d
      - “Are there limits to restorative justice? The case of child sexual abuse” – Anne-Marie McAlinden [reading] (10pgs)

#### Week 10
#### Institutional Discourse(s) Cont’d
- **Local**
  - **Tuesday:**
    - Corporate Crime: The Corporation as both Offender & Victim
  - **Thursday:**
  - **Paper Assignment # 3 – 100 pts.
    - DUE 11/5 IN CLASS
    - NO LATE or EMAILED PAPERS ACCEPTED

#### Week 11
#### Institutional Discourse(s): Global
- **Global: S. Africa**
  - **Tuesday:**
    - Truth and Reconciliation Commissions
  - **Thursday:**
    - South Africa –

#### Week 12
#### Institutional Discourse
- **Global: N. Ireland**
  - **Tuesday:**
    - Northern Ireland –
  - **Thursday:**
    - Northern Ireland – cont’d

#### Fall Break / Thanksgiving
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<td>PAPER ASSIGNMENT # 4 DUE IN CLASS</td>
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