



Center for Restorative Justice & Peacemaking

An International Resource Center in Support of Restorative Justice Dialogue, Research and Training

THE CIRCLE PROCESS: A Path for Restorative Dialogue*

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“Everything the Power of the World does, it does in a circle. The sky is round, and I have heard that the earth is round like a ball, and so are all the stars. The wind, in its greatest power, whirls. Birds make their nests in circles, for theirs is the same religion as ours. The sun comes forth and goes down again in a circle. The moon does the same, and both are round. Even the seasons form a great circle in their changing, and always come back again to where they were. The life of a man is a circle from childhood to childhood, and so it is in everything where power moves.” the Lakota holy man in Black Elk Speaks, John Neihardt

THE CIRCLE IS:

A WAY OF TALKING TOGETHER IN WHICH ALL OF US...

- are respected and treated equally
- have the opportunity to speak without interruption
- tell our own stories
- speak and listen in a deeper, more heartfelt way

VALUES UNDERLYING CIRCLES:

- | | |
|----------------------------------|-------------------------------|
| • mutual concern & respect | • shared responsibility |
| • consensual decision-making | • personal accountability |
| • appreciation of differences | • equal opportunity |
| • voluntary direct participation | • personal & community values |
| • interconnectedness | • wholistic approach |
| • focus on interests & meaning | • flexibility |

CIRCLES CAN BE USED TO:

- achieve greater mutual understanding
- develop a spirit of cooperation and collaborative skills
- work through differences, difficult issues, painful experiences
- make decisions together, building consensus
- repair, heal, and build relationships and a sense of community
- develop agreements that bring resolution and closure
- plan for the future
- ritualize or symbolize connections, transitions, significant change

THE CIRCLE PROCESS: AN OVERVIEW

The circle process creates a distinctive kind of space for restorative dialogue. Circles are fashioned in such a way that interconnectedness, interdependence, and equality within the community are highlighted. Participants are encouraged to share a sense of mutual responsibility for the well being of the community and the individuals within it, and an understanding that what happens to one person affects all.

In the circle, all participants, regardless of role or status, age or experience, are considered of equal importance, with equal voice. Everyone in the circle is invited to speak and listen from the heart, or to initiate silence. No one sits above or below others, or outside of the circle. The circle is inclusive. Even the circle keeper participates in the circle, in addition to facilitating the process. A circular seating arrangement and the use of a talking piece help define the process. While circles vary somewhat in style and structure, they all seek to cultivate a climate of mutual respect and caring that is value-oriented and heart-based, that engages the emotions as well as the mind. Circles are inclusive also in content, designed to allow space for all dimensions of human life, including the spiritual values and traditions of the participants.

The contemporary circle process draws upon an historic indigenous tradition practiced commonly in North America, the talking circle, which utilizes a talking piece that is passed from person to person around the circle, signaling the opportunity to speak. When you receive the talking piece, you may speak without interruption, hold the talking piece in silence, or simply pass it in silence to the next person. The use of a talking piece, in essence, slows the pace of dialogue, encourages quieter people to have an equal voice, assists participants in modulating and shaping the expression of strong emotions, and allows for deeper conversation, more careful listening and thoughtful expression.

In indigenous practice, ritual is typically used both to open and close a circle. These symbolic gestures mark a transition in time and space, setting apart the circle process as a sacred place where participants may experience themselves and others in a significant way that moves beyond the ordinary. Such rituals help to weave the fabric of community, by creating commonality of meaning through shared experience. Some of the most powerful rituals actually grow out of people's experiences, as well, rising out a need in the community or a defining event.

In addition to indigenous traditions, the circle process resonates with other conceptual frameworks and experiential practices that seek to give voice to participants, equalize power, integrate wholistic perspectives, build toward consensus and cooperation, and draw upon innate wisdom and experience.

THE CIRCLE PROCESS: PHASES & TASKS

The following is an overview of phases and tasks for circle facilitators, and for mediators who may choose to utilize the circle process for a particular case, adapting common procedures from victim offender mediation to another dialogue process. While this framework describes the steps involved in planning for a circle, one must experience the circle oneself in order to fully understand its essence, to get a feel for it and a sense of whether it is a process that would be applicable to a particular case or not. When it comes to dialogue processes, there is no substitute for experiential learning. To be able to apply a model with integrity requires facilitators to have a knowledge of that process from the inside out, because a model for dialogue is always greater than the sum of its parts, and rigidly and arbitrarily applying the structure may not produce the desired results.

For additional detailed information on the circle process, see Resources, below.

I. THE INITIATION PHASE: contacting potential participants

The initiation phase begins when the circle process is chosen as the most appropriate vehicle for restorative dialogue to offer to the participants in a particular case. The purpose of this phase is to begin the process of working with potential participants, making plans for face-to-face individual meetings, if people are interested and

willing. Community representatives will be contacted later, after the victim and offender have expressed a desire to move forward with the circle. The circle facilitator proceeds with the following tasks:

A) Make contact with potential participants, providing basic information.

Initiate contact with the victim and offender by means of an introductory letter mailed to them, followed by a phone call. Introduce yourself and your program, indicating the source of referral, i.e. how you received their names.

B) Schedule individual meetings.

Indicate your desire to schedule, at their convenience, separate meetings with each of them and any family or support people they choose to include, in order to:

- 1) learn about their experience of the crime,
- 2) describe the circle process and answer any questions they may have,
- 3) explore how the circle might address their needs, and assist them in making a decision about participating.

II. THE PLANNING & PREPARATION PHASE: meeting with potential participants, preparing the participants who choose to proceed, planning for the circle

The circle facilitator proceeds with the following tasks:

A) Meet with potential participants, separately, as scheduled.

- 1) Create a welcoming space in the conversation.
- 2) Explain your purpose: to hear about their experience of the crime (what happened, how they experienced it and felt about it then, how it is for them now), to tell them about the circle process, and to explore with them the possibility of their participating.
- 3) Invite them to tell about their experiences and then describe the circle process:
 - Purpose of the circle (in your own words): e.g. to bring people together to work through and try to resolve a difficult situation, to come to terms with and bring closure to a crime that has happened, to gain greater understanding of a problem, to make peace with the past.... In your description, introduce the basic concepts of restorative dialogue.
 - Process, including the use of a talking piece: (*See III. The Circle Gathering, for further detail*):

Welcome & Introductions
Opening & Orientation
Narratives/Storytelling
Exploring Options & Creating Agreements
Closing

- 4) Discuss with them possible benefits and risks of circles, eliciting their thoughts and feelings. Then, ask if they would like to proceed. Offer them more time to consider their decision, if needed. And if there are concerns about the process, explore ways of adapting the circle or offer them another process, for their consideration. The goal is to shape the process to the needs of the participants.
- 5) If they make a decision to participate in a circle, prepare them for that experience:

- Logistics: discuss possible dates and sites for the circle, and ascertain which support people they would like to include. (Support participants also need to be prepared.)
- Explore with participants how they may feel sitting in the circle in the presence of the others, what their hopes and concerns are, what they might wish to share in the circle and how they might choose to express it so that others may be able to hear it, what questions they might wish to ask others, etc.
- Discuss possibilities for resolution and restitution: what is the harm and how can it be repaired, and relationships restored, as much as possible? What will be helpful, workable, and appropriate for the situation?

B) Schedule and convene separate support circles for the victim and for the offender, as needed.

The circle facilitator may offer or even recommend that participants attend a circle of support, along with their friends and family. Such circles may provide encouragement and promote healing for the offender and the victim, as well as assist participants in preparing to come together in the larger circle gathering. This can be a time for more in depth exploration of their experiences of the crime, what may have led up to it or happened subsequently. It can also assist victims and offenders in processing their feelings and their concerns about meeting together in the circle gathering. Support people, who may or may not be involved in the final circle gathering, offer words of wisdom and caring, and brainstorm together any needs or concerns that have arisen. Support circles also provide an opportunity to share resources. If needed, there can be multiple sessions.

C) Make plans for the circle gathering.

1) Complete logistics such as time and place, making sure you have allowed adequate time and space. Three or more hours may be needed if there are more than 12 participants or the case is complex, and you must be able to seat all participants in a single circle, with some space around the perimeter. Make plans also for food to be shared before, during, and/or after the circle. Food helps to create a warm and welcoming, informal and nurturing space.

2) Finalize participant list and prepare any additional people for the process. You may decide to include community representatives, in addition to the support people chosen by the participants, e.g. local residents, community center director, pastor, YMCA worker, council member. Such representatives need to be chosen carefully, in consultation with victim and offender, so they can embrace the larger needs of the community, including both victim and offender.

3) Consider how you might arrange the room and create a focal point in the center of the circle that will support and enhance the process. You may choose, for instance, a patchwork quilt as a reminder to the circle that diverse elements can coexist beautifully, enhancing each other. A vase of flowers or conch shell may offer a note of simple beauty, serenity, and nurture. An object that has meaning to the whole community may also be used. You might invite participants to bring an object that has meaning for them, as long as it affirms the process and respects participants, and plan then to use circle time so that each person can explain the importance of the object they brought. The centerpiece then becomes a focus, and a reminder to all participants of the space they have entered.

4) Design the process:

- Consider how you will welcome people, do introductions, and describe why you are all gathered.
- Choose an opening and a closing that will enhance the spirit of the circle. Alternatively, you may wish to invite others to share in the leadership, making sure you maintain the sense of equality and balance in the circle. It can be a reading, a reflection or meditation, an exercise, sharing the meaning of a centerpiece.

A thoughtful question can be used in combination with a reading, for example, inviting participants to offer responses, going around the circle. Sample opening questions might be:

“How long have you lived in this community and what is one thing that you appreciate about it?”

“What are your hopes and desires for this circle gathering?”

A closing question might be:

“What will you take with you from this circle, that has meant something to you, that will be useful?”

Here are sample readings that can be used either as an opening or closing:

“Ultimately, we have just one moral duty: to reclaim large areas of peace in ourselves, more and more peace and to reflect it towards others. And the more peace there is in us, the more peace there will also be in our troubled world.... All I wanted to say is this: the misery here is quite terrible and yet, late at night when the day has slunk away into the depths behind me, I often walk with a spring in my step along the barbed wire and then time and again it soars straight from my heart ...like some elementary force - the feeling that life is glorious and magnificent, and that one day we shall be building a whole new world. Against every new outrage and every fresh horror we shall put up one more piece of love and goodness, drawing strength from within ourselves.” An Interrupted Life: The Diaries of Etty Hillesum 1941-43

“This we know: all things are connected, Like the blood that unites us. We did not weave the web of life. We are merely a strand in it. Whatever we do to the web, we do to ourselves.” Chief Seattle

“To live in the present moment is a miracle. The miracle is not to walk on water. The miracle is to walk on the green earth in the present moment, to appreciate the peace and beauty that are available now. Peace is all around us - in the world, in nature and within us, in our bodies and our spirits. Once we learn to touch this peace, we will be healed and transformed.” Thich Nhat Hanh

“In a real sense all life is interrelated. All persons are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly affects all indirectly. I can never be what I ought to be until you are what you ought to be, and you can never be what you ought to be until I am what I ought to be. This is the interrelated structure of reality.” Martin Luther King, Jr.

- Consider what you might use as a talking piece, much as you carefully chose a centerpiece, being mindful of the participants and what might best serve the needs of the circle. You may wish to select a piece that reflects a story, tradition, or value from that community, a natural object such as a shell, stick, or rock, an art object, or a symbol of peace, hope, community. And again, you may engage the participants in the selection of a talking piece.
- Consider how you will introduce the issue of conversational guidelines to be used by the circle. A focal question can be this: How do we want to have this conversation together? You may offer for their consideration guidelines that other circles have chosen to use, in which case it is helpful to share those with participants prior to the circle gathering, e.g. “Speak and listen from the heart; speak and listen with respect.” Alternatively, you may ask participants to generate their own set of guidelines, to be worked out prior to the circle if possible, or in the circle gathering itself. The guidelines then become their first experience of consensus.

If circle participants are friends, family, or members of an organization, you may suggest that they consider broadening the scope of the guidelines by focusing on this question: How do we want to be together, during this conversation and beyond? Any agreement they make can then serve an ongoing purpose in future interactions.

- Select possible questions to be used in shaping and guiding the dialogue, while remaining open to new questions that emerge during the process, e.g.

- 1) *“ How would you like to feel when you leave this circle? What would it take to you to get you there?”*
- 2) *“What was your experience like - what did you see and hear and feel? How has that experience affected you?”*

3) *“Is there anything you’d like to say to others in this room that would help you and others make peace with the past and move forward in a good way?”*

D) Prepare yourself for the circle.

Draw upon your own personal and spiritual resources, seeking to clear your mind and heart of your own issues and distractions, and become as centered and peaceful as you can, so that you will be fully present to the participants and their needs, and attuned to the process.

III. THE CIRCLE GATHERING

Before the gathering begins, work to create a welcoming, honoring space.

Arrive early, so there is plenty of time to prepare the space and yourself for the circle experience. Pay attention to the multiple dimensions that help to foster a warm and inviting, comfortable and safe environment for a difficult conversation, including potential noise or interruption, room temperature and ambiance. Arrange the circle of chairs and the centerpiece. Consider warming up the space with music, flowers, plants, art, pillows. Food is a must, however simple it may be. Make it easy for people to find the room, provide name tags, let them know they may sit anywhere in the circle, and be prepared to welcome each person warmly by name. Consider how it would feel to walk into this particular space for a circle gathering.

A) Welcome & Introductions: establishing a welcoming, safe, respectful space

1) Offer words of welcome: express your appreciation for their willingness to participate and your hope that the conversation will generate something good for all of them.

2) Cultivate the larger purpose and spirit of the circle by offering reflections on why the group has gathered: frame the gathering in a positive, constructive way that highlights common values and cultivates a climate of hopefulness, respectful cooperation and collaboration, e.g.

- *“We have gathered here today to respond to a problem that has arisen in our community, that is affecting our people; by speaking and listening to each other, we hope to find a way to address this issue, to bring resolution in a difficult situation and healing to what is fractured and broken....”*

- *“We have come to work together because we care about our communities, about the well-being of our families, our young people, our elderly; we are concerned about the safety of our neighborhoods and the connection we have with each other....”*

3) Address logistics: location of restrooms, any concerns about the space, time constraints, needs that have not been considered.

4) Invite participants to introduce themselves in a way that is comfortable to them, going around the circle.

5) Remember that your frame of mind and everything you do, your tone of voice, your body language, your words, can help to create a good space.

B) Opening & Orientation: laying the foundation for restorative dialogue

1) Share an opening, as suggested above, that invites participants to reflect, focus their thoughts and feelings, and center themselves, in order to bring their best and most authentic self forward. If you or the participants have brought objects of special meaning to be used in the center, take time to share the significance with the circle.

2) Explain that you have sought to create a welcoming, safe, respectful space for the circle, describing, as you see fit, the particulars you have addressed in order to accomplish that.

3) Discuss roles and responsibilities.

- a) The circle facilitator: serves as a neutral guide, facilitates and participates in the circle, not in a primary decision-making role.
- b) All participants: maintain confidentiality (what is shared in circle, stays in circle, unless otherwise agreed upon), offer thoughts and feelings as openly and honestly as is helpful, share responsibility for any decisions that are made.

4) Explain the use of the talking piece.

a) Purpose: to structure the conversation in a way that slows the pace and gives everyone a chance to speak thoughtfully and to listen deeply.

b) Practice: the talking piece is passed consecutively around the circle, typically in a clockwise manner, allowing each person to hold the talking piece and speak, mindful also of the needs of others, to hold it in silence, or pass it along in silence. The circle facilitator may decide to place the talking piece in the center of the circle and allow free conversation, particularly later on in the circle process, after each person has had ample opportunity to speak. In that case, participants who find it difficult to break into the conversation may fetch the talking piece, as a way of signaling others of their desire to speak.

5) Initiate a discussion of guidelines, for example:

“I invite you to consider how you want to have this conversation together, and what you need in order to feel safe enough to express the thoughts and feelings that are important to you to share. Some circles find it helpful to have guidelines, such as,

‘We will speak and listen with respect.’

‘We will speak and listen from the heart.’

Let’s go around the circle now and see what works for you - you may choose not to have guidelines, use those mentioned, as they are or adapted, or suggest other guidelines for the circle.”

Guidelines may be written on a flip chart. Other guidelines circles have used include:

- we will weigh our words before speaking;
- we will listen carefully to each other;
- we will focus on the topic at hand;
- we will respect one another’s time and space;
- we will consider our ancestors, future relatives, and those unable to join us;
- we will be attentive to ourselves and notice the feelings of others;
- we will remember that we are all learners and teachers.

6) Review the stages of the circle process, encouraging participants to express any needs that arise during the process, e.g. taking a break.

7) Ask if there are any questions before you proceed.

C) Narratives/Storytelling: describing experiences, concerns, and interests

1) Initiate the first round of conversation by asking a question or offering an invitation that encourages participants to speak about their experiences, both the facts and the feelings, for example

“I invite each of you to share with the circle what happened, what your experience was, how you felt about it, how it affects you now.”

Then begin the round by passing the talking piece to the person next to you, typically to your left or you may ask who would like to begin, bring them the talking piece, and then move around the circle from there.

2) When the talking piece returns to you, or the first round is completed, acknowledge and honor what you have heard and feelings that have been expressed. Continue this practice after every subsequent round, adding a summary of content as needed.

- 3) You will need to reflect about the process as you go, inquiring and making suggestions or decisions in the moment, based on what you have heard. You may continue going around, inviting participants to add more to their stories and to respond to each other by asking questions, clarifying particular thoughts, expressing empathy, etc. You may also offer another question to help shape the conversation.
- 4) After several go arounds, when you sense that everyone has had a chance to say what is most important to them, you may place the talking piece in the center and allow people to respond directly to each other.
- 5) Bear in mind that you, along with all participants, need to safeguard the process, remembering any guidelines they may have chosen, and refreshing participants' memories, as needed.

D) Exploring Options & Creating Agreements: responding to the needs of the situation, repairing the harm, working towards resolution and healing through consensus-building

- 1) Pass the talking piece around, inviting circle participants to share their ideas and feelings about moving forward, e.g.

“How would you like to respond to what you have heard? What ideas do you have for helping our community, and all of us, move forward? How can the harm be repaired?”

- 2) Track ideas and concerns on your own paper, or use a flip chart or board, so that everyone can see. Keep in mind that stepping outside the circle to use a flip chart may break the flow of the conversation, and compromise the space you have cultivated. You might invite a community representative to do the flip chart recording.
- 3) When the talking piece returns to you, acknowledge and summarize what you have heard, both ideas and feelings, seeking to draw out the underlying needs, interests, and concerns, as well as any common ground that has emerged.
- 4) In order to work through the options to find consensus, as well as honor feelings expressed, continue sending the talking piece around, or place it in the center of the circle to open the discussion to the whole group in an interactive fashion.
- 5) Note any mutual agreements that emerge, and invite the circle to reflect on them: are they realistic and achievable, specific and measurable, or less measurable but meaningful and relevant to circle participants, e.g. We agree to greet one another in a friendly manner, when we meet on the street?
- 6) Discuss the possibility of a follow-up circle, in order to:
 - a) get an update on the progress that has been made regarding agreements,
 - b) address any further concerns,
 - c) celebrate what has been achieved,
 - d) bring closure.
- 7) Record agreements on paper, and invite participants to sign the agreement. Provide everyone with a copy.

E) Closing: honoring the dialogue, the participation, the efforts put forth

- 1) Acknowledge and express appreciation for the efforts and accomplishments of the circle, including any expressions of support and caring.
- 2) Invite participants to share any final thoughts, feelings, questions, sending the talking piece around one final time:

“Is there anything else you would like to say?”

- 3) Close with a brief reading, quote, poem, exercise, question.
- 4) Wish them well and invite them to stay around for further conversation and refreshments.

IV. FOLLOW-UP

A) Oversee the completion of agreements.

B) Convene follow-up circles as agreed upon or needed.

C) If additional circles are not planned, check-in with primary participants after some time has elapsed.

- 1) Invite them to talk about their experience of circle, what they found helpful, and any suggestions they might have about the process.
- 2) Offer referrals as needed.
- 3) Answer any questions.
- 4) Use this conversation to provide informal closure to the case.

VARIATIONS IN THE USE OF THE CIRCLE

A) Alternative Designs for the Circle Gathering :

As with any dialogue process, it may be useful at times to adapt the circle process in order to address particular needs. The design of processes must be driven by the needs of the participants and the situation. Potential participants may express concerns about the model, or you may have a sense that the model has limitations in a specific case. Here are a few examples of needs-based variations:

- 1) Need: to provide the victim and offender an opportunity for a more intimate, direct conversation than a large circle provides, while still incorporating the larger community.

Design: Schedule a circle for victim and offender and one or two family members first, to be followed by a larger circle involving the community, in addition to victim and offender.

- 2) Need: to address the needs of a large number of circle participants, including multiple victims and offenders, and a limited amount of time.

Design: Arrange the chairs in two concentric circles, a speakers' circle in the center, surrounded by a support circle. Focus the initial conversation on the inner circle of victims and offenders, and then invite the support circle to offer brief comments or questions.

- 3) Need: to minimize an "us and them" feeling and physical distance between multiple victims and offenders, where victims and offenders might sit separately in their own groups.

Design: Intersperse victims and offenders around the circle, using colored paper on chairs to suggest the seating arrangement. Also, invite them to meet together in small groups, comprised of both victims and offenders, in order to brainstorm possible agreements and restitution. The groups then report back on their ideas.

B) Programmatic Design:

The model presented above uses a framework common to victim offender mediation, in which a case is initiated, preparation is completed, and then the participants meet for a conversation, the primary difference being that the circle process is used instead of mediation. An alternative to this design is to use the circle in all phases. So, for instance, the initial meetings with prospective participants are convened using a circle process, followed by healing or support circles with victim or offender and chosen support people. Any follow-up is also done in circle.

THE ROLE OF THE CIRCLE FACILITATOR

The circle facilitator or circle keeper, much as a mediator, is responsible for setting the tone for the circle and facilitating the process. A facilitator seeks to create a supportive climate based on openness, hope, and a respect that honors all participants. It is the facilitator's responsibility then to guide the process, by offering questions to focus the circle's work, deciding how to use the talking piece throughout the gathering, summarizing what has been said, and noting and reflecting to the circle any common ground or progress that has been made.

A significant difference between the role of mediator and that of facilitator/keeper is that the keeper also participates in the circle as a community member who may share concerns, stories, ideas. While joining in the conversation, the facilitator still needs to maintain the climate, honor the interests of all participants in the circle, and guard the process, and so typically will not make pivotal statements designed to alter radically the course of the conversation.

The skills required for circle facilitation include those typically used by mediators. In the circle, though, there may be an even greater need for patience, rigorous attention, and deep listening, as well as a comfort with silence. Circle facilitation also requires a delicate balance between guiding the process and encouraging the autonomy of participants, more so than in mediation. It is much easier to intervene in mediation than in a circle, interjecting a question or summarizing concerns, for instance. In the circle, because of the use of the talking piece, conversation is prescribed in a certain order. The facilitator has the opportunity to speak once every round, unless the process is so seriously jeopardized and guidelines ignored, that an interruption is warranted. Creating an atmosphere that is open to spiritual and philosophical values requires a facilitator to be centered and grounded, and comfortable with that territory.

As with mediation, circles facilitation may be shared. A cofacilitation model has both strengths and limitations. With larger numbers of participants, it may be particularly useful, which requires significantly more preparation in order to coordinate your leadership styles.

RESOURCES

For a more detailed discussion of the circle process, see:

Pranis, K., B. Stuart, and M. Wedge (2003). *Peacemaking Circles, From Crime to Community*. St. Paul, MN: Living Justice Press.

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\* Some material adapted from:

Greenwood, J. (2005). Conflict resolution and mediation techniques. In M. Arnold, L. Heyne, & J. Busser, *Problem solving: Tools and techniques for the park and recreation administrator* (4th ed., pp. 111-127). Champaign, IL: Sagamore Publishing.