

## THE ROLE OF PEACEMAKING IN PENAL ABOLITION

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I began participating in ICOPA at the third conference, held in 1987 in Montreal, when the International Conference on **Prison** Abolition became the International Conference on **Penal** Abolition. Giving a central voice to prisoners and opposing incarceration and attendant confinement have remained at the core of ICOPA programs. The shift from prison to penal abolition at the conclusion of ICOPA 2 in 1985 reflected the conviction of ICOPA co-founders, notably Herman Bianchi, Nils Christie, Louk Hulsman, Thomas Mathiessen and Ruth Morris, that incarceration is a symptom of a larger problem of defining conflict as “crime,” crime as the problem of the criminal, and punishment as the solution. And as Nils Christie describes in his book on *Limits to Pain* (1984), putting conflicts in the hands of police and other state functionaries reflects a broader, underlying cultural urge to respond to social disorder and failure by identifying and penalizing or inflicting “pain” on individual wrongdoers, whether prisoners, workers or insubordinate children. Any criminal justice system is a microcosm of the political culture of punishment (and its corollary, reward) that lends “justice,” in practice, its power and authority over others. Prisoner struggles, efforts to close and prevent construction of prisons, protests that black and brown lives matter and attendant calls for police accountability all offer us the evidence we require that punishment is inherently unfair and socially destructive. They provide cause for abolishing prisons and other forms of punishment, and yet beg the question of how to respond without perpetuating the culture of punishment and confinement. Among those who had participated in changing ICOPA’s name in 1985, there was a shared effort to describe what takes the place of punishment, including incarceration, which represents something other than a new form of punishment or confinement.

My discovery of and participation in ICOPA 3 was serendipitous. It coincided with my return from my second extended stay in Norway, supported by a Fulbright grant to study Norway as an example of a relatively “peaceful society,” particularly to be guided by Nils Christie. I came away with a paradigm Richard Quinney and I called “peacemaking”—how to build safety, security, trust and cooperation in the face of social division, conflict and separation, including separating ourselves from the crimes we recognize and the people we treat as criminals, the problem central to ICOPA. In moments of conflict, peacemaking means transcending the will to punish, to degrade, to confine, to increase power over others by taking power away from them.

Norway has experienced the largest, most prolonged drop in incarceration rates I know of. Norway sent its last combat troops abroad in 1814, some six centuries after Norwegian militarism, Viking empire, had peaked. Within a generation, Norway’s incarceration rate dropped by two thirds, from one equal to the incarceration rate of the U.S in 1960, to one that remains among the world’s lowest, now back toward 50 per hundred thousand population. It took a long time to learn the value of co-operation, a long time for practicing mediation of local disputes and local autonomy in mountain valleys and seafaring communities, to become culturally ingrained, for a political culture to turn so far away from incarceration. Its prisons are world-recognized models of openness, of cooperative relations between prisoners and guards, both as individuals and in organized unions (KROM for prisoners). This occurs in a national political culture where power over others is mediated and punishment (as in corporal punishment for children) restricted. Even in Norway, confinement that may be gauged in minutes of time-outs for children is given out in days, months and years for a range of offenses. Levels and forms of punishment are arbitrary, and

from a theoretical standpoint, severity gets in the way of swift and politically evenhanded punishment. Norwegian penal history indicates that punishment, including incarceration, cannot be abolished, but can largely be transformed. It took Norwegians many generations to build a culture in which warfare and punishment became so broadly forsaken. At the same time, the Norwegian experience suggests that what happens instead of punishment of offenders is somehow the same as what happens in the face of conflict and difference in all social settings. Insofar as we can identify and create that alternative in any walk of our own lives, we build alternatives to punishment throughout our lives, including non-punitive alternatives to prison. The more clearly we understand that alternative, the more readily we can apply it to abolishing punishment throughout our relations. "Peacemaking" is the term I apply to that effort.

Peacemaking rests on acknowledging and lending voice to the fear, pain, loss, anger, resistance and struggle caused by our exercise of power over one another. It seeks avenues for protests and resistance to be heard safely and openly. It gives priority to amplifying and hearing the voices of those least heard, of those most aggrieved in safe and trusted forums, as formally for example in peace circles. In ICOPA, centrally, these are the voices of prisoners. In a larger sense, they are the voices of those threatened by the criminal justice system as a whole, as in the protests in the US today that black and brown lives don't matter to police, or the plight of detained foreign refugees including children separated from families. The protest includes a demand that powerholders like police be "held accountable" for taking harmless black and brown lives, and the legally excessive force it represents. Punitiveness becomes transformed when room is created to carry on a safe conversation among parties long enough, to use Roger Fisher's terms, to move from positions on what has happened, to interests in what might come next. This redirection of the will to punish, personally and structurally, constitutes "penal abolition" in action.

In my 15-minute presentation, I would like to lay out some examples of peacemaking initiatives that have been taken—a brief overview from prisoner and prisoner-guard mediation to prison management and abolition (citing in particular Jerome Miller and Thomas Murton in the US, and Pawel Moczydlowski in Poland), to US policing in communities of color. I seek to raise awareness of the problem of punishment and of how we can and do transcend it. I propose that the more we recognize and focus on transforming punishment in each aspect of our social lives, the more readily we will as political cultures abandon incarceration. I propose this as one element of the larger force and movement for penal abolition, for recognition of the absurdity of incarceration, for transcending the cultural practice of punishment.