

Our Trip to Israel

By Ron Claassen

On April 26 Roxanne and I traveled to Tel Aviv, Israel. I was invited to be one of two guest speakers for the First Restorative Justice Conference in Israel on May 1 and 2, 2002. The other guest speaker was Martin Wright from England. The conference was initiated by the Ministry of Justice National Center for Mediation and Conflict Resolution and the University of Tel Aviv Law School and Graduate School of Social Work. By the time of the conference two other Universities and several other agencies had joined with them in sponsorship of the conference. On the evening we arrived, the sponsors and planners had a reception for Martin and I. To illustrate their thorough planning and the extent of interest in the topic of Restorative Justice I will list some of those attending the reception: Beni Steinberg, Attorney, Conference Chair, Professor Menahem Mautner, Law Faculty Dean, Tel Aviv University; Shoshanna Neer, Dept of Social Work, Ben Gurion University; Etti Peretz, Chairman, Association of Social Workers, Dr. Sara Ben-David, Head of Dept of Criminology, T.A. University; Tali Gal, Attorney., Representative of the Victim Coalition; Naava Kedar, Director Youth Probation Service, Ministry of Labor and Welfare; Dr. Peretz Segal, Chairman, National Center for Mediation and Conflict Resolution, Ministry of Justice; Justice Savayona Rotloi, Tel Aviv District Court; Menahem Vagshal, Director Correctional Department, Ministry of Labor and Welfare; Dr. David Wiener, Vice Public Defense Attorney; Miriam Rosental, Tel Aviv District Attorney; Professor Mordeehia Kremnizer, Faculty of Law, Hebrew University of Jerusalem. The conference was held at the University of Tel Aviv Law School in an auditorium that seated 220. Several days before the conference, the registrations count was 230 and people were being told that it was full, another indication of the interest generated by the topic.

Prior to the conference Martin and I were scheduled to lead three four-hour workshops. These were planned by the Ministry of Justice National Center for Mediation and Conflict Resolution which is directed by Dr. Peretz Segal, a man with a vision for infusing mediation into all major structures of Israeli society. Each four-hour workshop focused on the theory and practice of restorative justice and how it could relate to their current criminal justice system, which is quite similar to the criminal justice system in the US. All sessions were simultaneously translated into English and Hebrew. Twenty-five people attended each of the workshops. The first was for prosecutors and police, the second for judges, and the third for defense attorneys. These sessions included substantial, rich, and stimulating discussion. The judge who is responsible for the entire juvenile justice system in Israel said, "The real issue we are discussing here is, what is justice?" That led to an extended discussion and increasing interest in Restorative Justice. The last 30 minutes of each session were lead by Anat Farkash, Restorative Justice Coordinator for the Ministry of Justice National Center for Mediation and Conflict Resolution. The Judge I referred to above ended that session saying he thought that Restorative Justice should be given an opportunity to demonstrate its effectiveness and suggested that a plan be developed. Anat was delighted to hear this request and ready to take up the task. Anat has been studying the theory and practices of Restorative Justice for several years, including a thorough review of the literature. She has written the first Restorative Justice book in Hebrew. Its first copies were available for sale at the Conference.

The Conference was held on May 1 and 2. Each session of the Conference was arranged with one of us as the guest speakers opening the session and then 3-5 Israelis responding. The purpose of the conference was to introduce participants to the theory and some of the practices of Restorative Justice and to consider how Restorative Justice might intersect with their current criminal justice system. The Israeli speakers included their support for Restorative Justice and their concerns. Some described practices that are already in place that are restorative. Their probation departments are staffed by university graduates who major in social work. Speakers representing probation said much of what they are already doing is Restorative Justice and they welcomed additional Restorative Justice theory and practices as support as well as encouragement to do more. The wrap up session by a lead Israeli Prosecutor, head of the Public Defense Department, a Judge, and two faculty from the Law School provided strong encouragement for those promoting Restorative Justice to move forward. Beni Steinberg, Attorney and Chair of the Conference, was very encouraged by the movement. He had attended a VOMA Conference in the US and after that experience had committed himself to organizing a conference on Restorative Justice in Israel. While he experienced significant encouragement and relief at the end of the conference, he was also realizing that this was just the beginning.

While the focus of the conference and workshops was on the criminal justice system, it is impossible to talk about Restorative Justice without making connections to how one relates to ones family and co-workers as well as how national and international issues and conflicts are approached. Many references were made to the current situation in Israel. What I heard most often was a call for the development of a Palestinian State and for Israelis and Palestinians to learn to live peacefully, side by side. There was wide recognition that no amount of military power alone will be able to create a safe and peaceful place. There was significant interest in an international conference to help move in these directions.

In the midst of the tension expressed by many and felt when being searched entering every building, the people we met went about their business almost as usual. We heard the wonderful word *shalom* a lot but sadly it was always in the context of feelings of vulnerability and lack of security. Most introductions included appreciation that we would come in the midst of these difficult times. We were treated very graciously by our hosts and by many others we met. Some asked why we would come to such a place at such a time. It gave us a chance to talk a little more about restorative justice. A few wanted to know why Restorative Justice was so important to us. We told them that Restorative Justice offers hope for addressing and healing the wounds of experienced injustices. We told them we were Mennonites and that because of our religious faith we are pacifists, seeking alternatives to using violence and revenge. One attorney talked with Roxanne at some length about this idea of pacifism. Later she told us that her family had discussed the idea of pacifism at their Shabbat meal. She said that her children and husband were also very interested and requested some reference books.

We had some time for sightseeing after the conference. There was a part of us that wanted to leave immediately and part of us that wanted to see as much of Israel as we could. We traveled to Nazareth, the Sea of Galilee, and Tiberias. Being where the Sermon on the Mount was preached was a highlight for me. We traveled to Jerusalem where we met two of our hosts from the conference, who are mothers, attorneys, and Orthodox Jews,. They had offered to show us around some of the areas of Jerusalem. They asked us what we wanted to see and we told them we were interested in seeing and hearing about what is important to them. They took us to the old city where we visited a school. They showed us, and told us about some of the holy sites that are very important to them. It was special to observe, with them, several young men at the Western Wall reading the Torah for the first time as part of their Bat Mitzvah. We felt very welcome in the Old City Jewish Quarter, especially since we were with them. We discussed their faith and ours and we talked about the situation in Israel and their hopes and dreams and fears. We talked about the role of women in our faith and in theirs. It was a very stimulating and enjoyable morning. At noon they needed to pick up their children from school and we requested to be left off at the Shrine of the Book, part of the National Museum that houses several of the Dead Sea Scrolls.

Our goal after leaving the Museum was to visit the Mennonite Central Committee offices in Jerusalem. We had had some conversation with MCC personnel before leaving for Israel and that we would contact them when we arrived. Ed Nyce, living in Bethlehem, said that he had been spending nights in the basement of his landlord. He said that the possibility of meeting and traveling together would depend on the conditions. We had sent e-mails and telephoned after arriving but had not been able to make contact. We had the address of the MCC office in Jerusalem. We gave it to a taxi driver at the Museum and he looked at it and said, "this address is in East Jerusalem, in Palestinian territory." We asked if we would be safe going there and he said, "Yes, with me you are safe. I am a Palestinian Christian." Roxanne and I looked at each other and decided we would go with him. He took us to the MCC offices. They were locked. He called them several times on his cell phone and there was no answer. He asked us if we wanted a guide to see the Christian Holy Sites. We negotiated a price and he introduced himself as Charlie. So we asked what is your real name and he showed us his papers, Charlie _____. As we were leaving he pointed out a house, just about a block from the MCC house. There were Israeli soldiers around it. He told us that it was a Palestinian home that had just last week been taken over by the Israeli army. Then, as we drove toward the Mt. of Olives, he stopped and pointed to a large modern apartment complex. A large area in front of it had been cleared recently. To the left there were Palestinian houses and to the right there were Palestinian houses. The large apartment complex between them he said was a Jewish Settlement. Then Charlie pointed at me and said with intense feelings, "your taxes built that settlement and your taxes pay the people who live there. They don't work, they just live there."

We proceeded to the Mt. of Olives (we were the only ones there), Garden of Gethsemane, and the Upper Room. He asked us if we wanted to go to the other quarters of the Old City. We asked Charlie if we would be safe there and he said, "you will with me." So we walked through the Jewish Quarter to get to the Christian Quarter. We didn't feel

as warmly welcome walking through with a Palestinian as our guide. We went to Golgotha and several other sites. He asked if we were interested in having coffee with his parents who live in the Old City. We asked if we would be safe and he said, "you are with me." So Charlie called his parents on his cell phone and told them he was bringing some guests. We walked through several narrow streets, up some stairs and through an opening in the thick wall. It opened to a small courtyard and from there we went into their small apartment. We sat down to wonderfully strong coffee with his parents and his youngest sister, Lilly. She is a senior in HS but had not been in school for two months because the teachers who commute from outside the old city could not get to the school. She was worried that she would have to repeat the whole year. We asked what she did for fun. She said that her parents did not allow her to go out because of fear. She has a computer and is connected to the internet. We talked with his parents about their hopes and dreams related to the Israeli/Palestinian situation. They hope for the development of a Palestinian State and for the leaders to figure out how to coexist in peace. They hope to live peacefully in Jerusalem and to pass on their apartment to one of their children. As we left Charlie's mother became very emotional as she said goodbye to him.

After we left we commented on his mother's reaction and asked if he was in danger. He explained that he lives in a village about 8 miles from Jerusalem. Because of checkpoints it takes him about 3 hours to drive that distance. So he doesn't drive home, he parks his taxi in Jerusalem and walks through the first check point, gets a ride to the next, walks through it and gets a ride to the next. It is never comfortable going through the checkpoints. Then he told about when the Israeli military occupied his town they were under curfew and not allowed to leave the house. He has four children and they ran out of food. He, out of desperation, under the cover of darkness, walked to a neighboring town to get food for his family. We asked what would have happened if he had been seen by the Israeli military. He said he may have been killed or beaten and would have been labeled a terrorist. He said it is that fear that is reflected in his mother's difficulty saying goodbye.

Charlie took us to the television station where we met Beni Steinberg, the Chair of the Conference. Beni had called us frequently throughout our stay to be sure that our needs were met. He had graciously volunteered to give us a ride back to Tel Aviv. He was in Jerusalem that evening because he had been invited to do a National broadcast discussing Restorative Justice. He suggested that he show us a few of his favorite sites around Jerusalem before we left to return to Tel Aviv. He had studied at Hebrew University and loved Jerusalem. He took us to eat at a restaurant where we looked out on the illuminated Old City Wall and the Tower of David. He reminisced about his University Days and good times in Jerusalem. When we left the restaurant, he said he would like to take us to Hebrew University to see the beautiful view of Jerusalem at night. Hebrew University is in East Jerusalem and he debated if it would be safe for us to drive to the University. The more he went back and forth in his mind the less comfortable Roxanne and I felt. He finally decided it would be ok. It turned out to be a safe trip and the view was beautiful, Hebrew University sits on the highest hill east of the Old City. On the way back to Tel Aviv we talked about the Israeli/Palestinian situation. He said without hesitation that he thinks there needs to be a Palestinian State and he said "we can never give up Jerusalem." He added that he thought that the idea of an international conference might be helpful in making these decisions.

I left Israel with a renewed respect for the complexity of the situation, greater appreciation for the depth of feelings that exist and with hope because the people we met want to figure out how to coexist in peace. Perhaps Restorative Justice will contribute to their search for how to accomplish this. I am hopeful that if an international conference would assist them in their search for peaceful coexistence, they could figure out how to do it.