

THE MANOEUVRE

I saw the two starlings
coming in toward the wires.
But at the last,
just before alighting, they

turned in the air together
and landed backwards!
that's what got me— to
face into the wind's teeth.

—*William Carlos Williams*

INTO THE WINDS TEETH

In his two-line smart-alecky poem “On a Voluntary Singer ” Samuel Coleridge picked up on a long-held myth claiming that “Swans sing before they die” then added it would be “no bad thing/ Did certain persons die before they sing.”

While I am convinced that *Peacemaking: Reflections of a Radical Criminologist* is Hal Pepinsky’s swan song, I am equally convinced that, had he exited before he sang its refrains, those who bought food and paid the rent from their scholarly involvement with the subjects of crime, social harm, punishment, and justice over the past 30 years would have been worse for the loss.

While the pages of *Peacemaking* provide unique and interesting insights into Professor Pepinsky’s family genealogy, they also trace—and this is what is most important for scholars of criminology and criminal justice—his scholarly lineage, as he moved from the days of a regular guy interested in alternatives to state-based justice systems to an agitator for social justice and peace—the peaceful overthrow of “the system.” *Peacemaking* is his genealogy of morals then, tracing his movement from a focus on, as Professor Pepinsky (2006) says at the outset of his tome, “the problem of crime and crime control [and] how we control crime and criminality . . . to espousing a radical feminist concern for the larger problem of ‘violence’” (p. 3).

He goes further of course, offering those interested in living lives without a commitment to violence in any way, a life course in peacemaking, implying on every page that unless we learn to live according to the principles of *satyagraha*—as Gandhi described it “holding on to truth”—we will be false teachers, wolves in sheep’s clothing, because we will not have experienced the Blakean “sweet delight” that a life of peacemaking brings and the prophetic voice that flows forth from such delight experienced (Pepinsky, 2006, p. 114).

Gandhi came to call Satyagraha “love-force or soul-force” asserting that it “did not admit of violence being inflicted on one’s opponent but [of] patience and sympathy. And patience means self-suffering. So the doctrine came to mean vindication of truth, truth, not by infliction of suffering on the opponent, but on one’s self.”ⁱ

Those who know Professor Pepinsky as I do, and have for more than 35 years, know that he has chosen the course of the vindication of truth through patient self-suffering. At times when I see and talk to him I believe he has begun upon the path of what the Christian church calls long-suffering. I do know for sure that in a good part of his flight—I have seen it with my own eyes—like the two starlings in William Carlos Williams’ poem “The Manoeuvre” he has had to fly, more often than he might have liked, into the wind’s teeth—alone.

It needs to be pointed out at the outset here that that flight has had and continues to have implications for not simply the personal or individuals realms—privatized justice maybe—but for the collectivity as well, the evolving community at large. Indeed I do not think it a stretch of truth to assert that Professor Pepinsky has shaken up the fields of criminology and criminal justice, principally through the development of a paradigm of justice called “peacemaking criminology.” For the hoards of scholars in the disciplines of criminology and criminal justice who have avoided and continue to avoid situating themselves on a spectrum of moral values, and continue to deny its necessity or offer

justifications for their failure to do so, Professor Pepinsky in person and in his work has been a true Socratic gad-fly.

The many times I read and re-read Plato's words about Socrates in his *Apology*—in the original I might add—I thought of Professor Pepinsky. Like Socrates, far from being an impious corruptor of minds, he has been and continues to be a blessing sent by the gods acting the part of a gadfly. And that gadfly, as Plato says of Socrates, constantly agitates the populace like a horse—preventing it from becoming sluggish and going to sleep—moving through the marketplaces of towns and cities stirring up conversations to prevent the populace, the towns, the cities—and yes the criminologists and criminal justices therein—from becoming sluggish, careless, intolerant especially when they say they know something when they do not.ⁱⁱ With his long-time friend and colleague Richard Quinney, Professor Pepinsky has brought peacemaking to the sleepwalkers of criminology and criminal justice, disciplines that began as, and have become solidified as, fields of war.

PEACEMAKING CRIMINOLOGY

I will take my chances and bet that nine-tenths of the criminology and criminal justice students who walk out of any college or university in the United States with diploma in hand know absolutely nothing about “peacemaking criminology” in large part because the courses, the departments and programs, the funded research in these disciplines are abstracted from a personal ethic of “right living”ⁱⁱⁱ and, when things go wrong, “making things right” (Yazzie, 1998). In essence they are designed to create criminological and criminal justice “mechanics” to uphold the values of the state and transnational marketplace certainly not the strangling reach of empire.

Those familiar with the conceptual framework or paradigm of known as “peacemaking criminology” were most likely introduced to it through the somewhat

strange assortment of 20 essays on the subject edited by Professor Pepinsky and Richard Quinney called *Criminology as Peacemaking* in 1991. It was an attempt to get a foot in the door, get a word in edgewise, in fields whose paradigms and methodologies, as I alluded to, can easily be traced to war, power, and violence but the paradigm presented in those essays was lacking by far the utopian essentials of a just community, a community in which the needs of all are met (see Sullivan & Tifft, 2005).

Reflecting on the origins of that paradigm and how readers might exploit it for their well-being nearly a decade after its publication, Professor Pepinsky (1998) mused, “I turned explicitly to studying how to make peace instead of making war on crime and violence. Criminology and criminal justice are essentially negative enterprises, about what not to do, about why we do what we should not, about how to stop us from doing wrong. In studying peacemaking I sought to understand how we get the kind of human relations we DO want.” Professor Pepinsky had come to see the poverty of the two disciplines he had been involved with—three if we count the law—for a good part of his adult life and was hoping he might assist in upgrading their moral development quotient such that ultimately the concept and practice of “just community,” as Lawrence Kohlberg had advanced it, might become a central theme.^{iv} Instead of criminology and criminal justice courses on deviance, he envisions in *Peacemaking*, say, a course on full inclusion (see J. Sullivan, 1998, 2001). Having attended an experimental, ungraded secondary school himself, Professor Pepinsky was looking for models of schools, and families, and places of work where “your opinions and feelings matter” (Pepinsky, 2006, p. xii). Participation, voice, needs taken into account, were to become central concepts in the peacemaking movement, if you will, related to but beyond the boundaries of the academic disciplines of criminology and criminal justice.

In Professor Pepinsky’s movement away from the crippling models of positivism toward designing, certainly conceptualizing, communities in which the needs of all might

be met, the Norwegians offered a vision. Having traveled to Norway several times during the 1980s to study and teach, Professor Pepinsky had been taken with the Norwegian concept of *ansvar* which can be simultaneously translated as “responsibility,” “accountability,” and “liability.” Professor Pepinsky says that when, “Preparing lectures during a period of study in Norway, I noticed that these three terms translate into one in Norwegian: “ansvar,” which literally means ‘responsiveness.’ It was at this point that I recognized ‘responsiveness’ to be the antithesis of violence and domination” (Pepinsky, 2005).

Through a kind of syllogistic reasoning Professor Pepinsky concluded that when people’s stories are listened to, when their voice is respected, their unmet needs taken seriously, they are transformed, gradually in most cases, into responsible beings who can be trusted—it’s a matter of probabilities really—and, when trusted, they have fewer reasons to rely on power to have their needs met—as well present fewer reasons to others to justify using external forms of control over them, that is, power. Whether a person is the wielder of power or the victim of power they are involved in a complex of violence. For those who commandeer others in relationships Professor Pepinsky reminds us, “it is violent and disruptive to abolish or forbid things by fiat” (p. 105).

As if through some kind of cross-fertilization process from afar Professor Pepinsky and Richard Quinney, each in his own way, began emphasizing the importance of storytelling in every day life, as Quinney calls it “the ethnography of everyday life” (1998; see also Berger & Quinney, 2004). It is believed that the story as a needs-meeting participatory process is a way out of the command-obedience complex in which so many of us remain trapped all our lives (see Clastres, 1987; Lapierre, 1977). Certainly one way to transcend this complex is to become engaged with one’s natural environment as well as one’s world of relationships by being on fire, full of God, enthusiasm, which Larry Tifft, John Sullivan, and I discussed in a presentation we made at the Association for

Humanist Sociology in 1997 called “discipline as enthusiasm.” When a person is ignited through passion for others and burns for what is before him or her, the need for external control is obviated, the command-obedience complex is short-circuited.^v

While Professor Pepinsky does not lay out systematically or otherwise the elements of a needs-based approach to justice, to living together cooperatively, he alludes to it in nearly every page of *Peacemaking* when he addresses the nature of empathetic interaction and personal responsiveness.

PEACEMAKING PRACTICES

Clearly a peacemaking perspective on human harms, human well-being—needs taken into account and met to the extent possible, that is, in reference to a person’s “plan of life” (Miller, 1976, pp. 134-138)—seeks to change a political economy of personal relationships and the social structural conditions that conflict with the achievement of personhood and justice defined in terms of equal well-being. Though Professor Pepinsky (2006) in several places emphasizes that peacemaking criminology is an “attitude,” (pp. 6, 192)—which is rather odd for he really has been talking about personal and social transformation in *Peacemaking* and in all the rest of his writings for the past 30 years—he points out that one of the quintessential questions that every human being must ask and answer is: “how can we and others—culpable as we are in one way or another for either hoarding power or succumbing to it—transform cycles of violence and vengeance into an upward spiral of trust and co-operation” (Ibid, p. xii)? That is, how can each of us become a transformative factor in our person and in the social arrangements we create not abstractly but each time we act in relation to the natural world and human beings. That is, becoming a transformative factor in the interest of peace.

In terms of fostering peaceful relations at all possible levels of social interaction, it

is not surprising to see that Professor Pepinsky has relied on the work of one of his great teachers, Johan Galtung the founder of the Peace Research Institute in Oslo, Norway (see Pepinsky, 2006, pp. 62, 176). Galtung said (1968; 1969) that, when we speak about creating peaceful social relations, we must consider at least two levels of peace namely “negative peace” and “positive peace.”

Negative peace refers to a social situation when violence and the presence or exercise of power are absent, when the violence that was destroying a person, a neighborhood, a nation-state ceases to exist, such as when a ceasefire is achieved between two nations or when battering stops in a relationship between intimates. Positive peace, on the other hand, requires more; it entails creating social structural conditions that not only prevent such violence from occurring in the future but also foster a well-being which is evident when relationships are restored or transformed, and I would add such that “equal well-being” is achieved. The concept of equal well-being was championed by the anarchist philosopher and activist Peter Kropotkin (1906) who saw its achievement as a radical re-ordering of social relations. It reflects a social situation in which the needs of all have been met, in which they have been met equally even though differentially, that is, the meeting of needs is not simply a matter of quantity or the cost incurred to meet needs according to differential life plans.

Throughout *Peacemaking*, Professor Pepinsky argues for, or better yet, prays for a needs-based approach to relationship in order to meet the needs of all equally thereby achieving equal well-being. The means to achieve this do not emerge through power, obviously, or through competition but cooperation and mutual aid, when we “give a sense of ownership to each participant in interaction, to engender in each participant a sense of responsibility for how the interaction progresses” (Pepinsky, 2006, p. 136). Whether we are talking about social relationships in families, schools, or places or work it entails creating social climates “of safety and mutual respect in all our relations, in which we can

air our differences openly and honestly, most urgently in which we can let off steam directly at the people or actions that trouble us the most” (Ibid, p. 139). This is the antithesis to competition for “Survival in competition means competing to conform better than others to someone else’s idea of what you ought to know and do” (Ibid, p. 140).

THE SWAN HAS SUNG

I began this little commentary by saying that *Peacemaking* is Professor Pepinsky’s swan song but before ending I would like to correct a misconception in this regard in that, as far back as ancient Rome, Pliny the Elder (Plinius, 1601) discovered that "Observation shows that the story that the dying swan sings is false."^{vi} So perhaps we have before us in *Peacemaking* is neither a swan nor its song.

I already mentioned my 2003 interview with Professor Pepinsky for *Contemporary Justice Review* which I titled “Facing into the Wind’s Teeth.” It is a line from the poem “The Manoeuve” by the great American poet William Carlos Williams which I offered at the outset. If you examine the poem you will see that Williams was taken with how two starlings he had in his sight, just before alighting, turned in the air backwards and faced into the wind’s teeth. An act of bravery, defiance, a act of facing up to the challenges life presents at that very moment.

Commenting on this poem, the great poet Denise Levertov pointed out that, while this poem is indeed a celebration of life, it also tells us that life sometimes requires adroit maneuvering, its fullness emerging when we work not against but in cooperation with that which makes it most difficult. My interview with Professor Pepinsky shows this to be true in spades as does *Peacemaking: Reflections of a Radical Criminologist*. But one

global-in-nature question to ponder is that which Professor Pepinsky began asking himself more than 35 years ago: “My primary question as a would-be social engineer in 1973 remains: how might we and all humanity best avoid going down with the U.S. military-industrial ship” (p. 59)?

Comparatively speaking Professor Pepinsky might be doing much better than the United States of America today. Part of that is due to his continuing courage to face into the wind’s teeth despite the consequences but what has enabled this starling to fly so defiantly has been support shown by his wife Jill Bystydzienski and his friends Larry Tifft, Richard Quinney, and myself among others. In case you feel slighted, I have a sign-up sheet prepared.

Not surprising his flight has enabled him, in a kind of compassionate reciprocity, to enable others to face the wind’s teeth as well. As Larry Tifft has recalled recently:

The next time I met Hal, I was at a conference presenting perhaps some of Dennis’ and my most radical and polemic ideas and analyses. The presentation perhaps concerned the State as an institutionalization of structural violence and criminality. But, it could have been about the promise and analytic value of anarchism in transcending structures of administrative torture or war as the language and practice of “homeland” and “otherland” social control. I do not remember. What I do remember is that during the discussion following the panel members’ presentations, I was confronted by audience members’ hostile questions and accusations, and I was struggling. Then, all of a sudden, this fellow in the audience jumped up and brilliantly stated what I was trying to but could not communicate. My angle of sight prevented me from recognizing who the speaker was. I felt relieved, understood, and calmed—no longer the lone voice, ostracized. A gate of submerged energy and strength emerged within me and with regained confidence I got in rhythm and forcefully presented responses to their attacks. As the audience conversation drifted to other panelists’ ideas, I recognized that the fellow in the audience was Hal. In all the 30 years since this experience I have neither forgotten Hal nor the valued lesson of this experience. I suspect that there are many of us standing up (Tifft, 2007).

For 35 years Professor Pepinsky has stood up and taken flight to aid others to face into the wind’s teeth no matter the consequences. He says, “I have come to see the value

of life not in its length but in its intensity—in the degree to which I am allowed to understand difference and to learn and grow from it” (Pepinsky, 2006, p. 191). He closes *Peacemaking* by urging people everywhere to take the risk to challenge the teeth of power in all its forms. Always the egalitarian, always working from a position of empathy, he knows all that anyone of us can do who is committed to the equal well-being of all is make an invitation to others to fly, into the wind’s teeth if it comes to that. He says, “To those who are embarking on this journey with me, I say, like the Navajo, it’s up to you” (p. 192)

REFERENCES

- Amster, R. (2004). Breaking the law: Anti-authoritarian visions of crime and justice. *The New Formulation*, 2(2), <http://www.newformulation.org/4Amster.htm>: retrieved September 27, 2007.
- Banathy, BH. 2000. *Guided Evolution of Society: A Systems View*. Academic/Plenum Publishers: New York.
- Bass, E., & Davis, L. (1994) *The Courage to Heal: A Guide for Women Survivors of Child Sexual Abuse* (3rd ed.). New York: Harper Perennial.
- Berger, R. J. (2004). *Storytelling sociology: Narrative as social inquiry*. Boulder, CO: Lynne Rienner Publishers.
- Brick, N. (2003, June). The neurological basis for the theory of recovered memory. http://members.aol.com/smartnews/Neurological_Memory.htm, retrieved September 18, 2007.
- Christie, N. (1977). Conflicts as property. *British Journal of Criminology*, 17, 1-14.
- Clastres, P. (1987). *Society against the state*. New York: Zone Books.
- Clawson, D., Zussman, R., Misra, J., Gerstel, N., & Stokes, R. (Eds.). (2007). *Public sociology: Fifteen eminent sociologists debate politics and the profession in the twenty-first century*. Berkeley, CA: University of California Press.
- Crews, F. C. (1994, November 17). The revenge of the repressed. *The New York Review of Books*. 41(19); <http://www.nybooks.com/articles/15200>; retrieved September 18, 2007.

- Crews, F. C. (1994, December 1) The revenge of the repressed: Part II. *The New York Review of Books*, 41(20), <http://www.nybooks.com/articles/2051>; retrieved September 18, 2007.
- D'Amico, B. A. (2002). What is 'synergy'? In C. J. Fearnley. *The R. Buckminster Fuller FAQ*. <http://www.cjfeanley.com/fuller-faq-2.html#ss2.2>; retrieved September 21, 2007.
- Duany, J. (2003). *Making Peace & Nurturing Life : A Memoir of an African Woman About a Journey of Struggle and Hope*. Bloomington, IN: 1st Books.
- Emerson, R. W. (1842, January). The transcendentalist. *Lectures*. <http://www.emersoncentral.com/transcendentalist.htm>; retrieved September 27, 2007.
- Fearnley, C. J. (2002, November 6). *The R. Buckminster Fuller FAQ*. <http://www.cjfeanley.com/fuller-faq.html>; retrieved September 21, 2007.
- Ferrell, J. (1998). Against the law: Anarchist criminology. *Social Anarchism*, 25, <http://library.nothingness.org/articles/all/en/display/127>; retrieved September 27, 2007.
- Fuller, R. B., & Applewhite, E. J. (1975). *Synergetics: Explorations in the geometry of thinking*. New York: Macmillan. <http://www.rwgrayprojects.com/synergetics/synergetics.html>; retrieved September 21, 2007.
- Galtung, J. (1968). Entropy and the general theory of peace. In *Proceedings of the International Peace Research Association Second Conference*, Vol. I, (pp. 3-37). Assen, The Netherlands: Van Gorcum & Co., .
- Galtung, J. (1969). Violence, peace, and peace research. *Journal of Peace Research*, 3, 167-191.
- Hubbard, B. M. (2005). Conscious evolution: The next stage of human development. <http://www.barbaramarxhubbard.com/utility/showArticle/?objectID=18>; retrieved September 22, 2007.
- Kohn, A. (1996). *Beyond discipline*. Alexandria, VA: Association for Supervision & Curriculum Development.
- Kropotkin, P. (1906). Well-being for all. In P. Kropotkin, *The conquest of bread* (pp. 12-22). New York: Vanguard Press.
- Lapierre, J. W, (1977). *Vivre sans etat? Essai sur le pouvoir politique et l'innovation sociale*. Paris: Le seuil.
- Loftus, E., & Ketcham, K. (1994) *The Myth of Repressed Memory: False Memories and Allegations of Sexual Abuse*. New York: Scribner's.
- McDonough, G. P. (2005). Moral maturity and autonomy: appreciating the significance of Lawrence Kohlberg's Just Community. *Journal of Moral Education*, 34(2), 199-213.
- Miller, A. (1983). *For your own good: Hidden cruelty in child-rearing and the roots of*

- violence*. New York: Farrar, Straus, Giroux, NY.
- Miller, D. (1976). *Social justice*. Oxford: Clarendon Press.
- Milovanovic, D. (Ed.). (1997). *Chaos, criminology and social justice : The new orderly (dis)order*. Westport, CT: Praeger.
- Moore, M. (1966). *Tell me, tell me: Granite, steel, and other topics*. New York: The Viking Press
- Nearing, S. (1974, June 1). A Memorandum for Right Living. Offered to the Graduating Class of Gould Academy, Bethel, Maine at their Commencement Exercises. Lincoln, MA; The Thoreau Institute at Walden Woods Library <http://walden.org/institute/Collections/Nearing/Memorandum%20for%20right%20living.pdf>; retrieved September 29, 2007.
- Ofshe, R., & Watters, E. (1994). *Making Monsters: False Memories, Psychotherapy, and Sexual Hysteria*. New York: Scribner's.
- Pendergrast, M. (1995). *Victims of Memory: Incest Accusations and Shattered Lives*. Hinesburg, VT: Upper Access.
- Pepinsky, H. (1978). Communist anarchism as an alternative to the rule of criminal law. *Contemporary Crises*, 2, 315-321.
- Pepinsky, H. (1997). "Educating for Abuse Awareness." Paper presented at the annual meeting of Believe the Children, International Council on Cultism and Ritual Trauma, Mothers Against Sexual Abuse (MASA) and Survivors and Victims Empowered (SAVE); "Dreamweavers: Child Abuse and Victim Advocacy," Chicago Illinois, April 11-13.
- Pepinsky, H. (1998). Empathy works, obedience doesn't. *Criminal Justice Policy Review*, 9, 141-167; <http://www.soci.niu.edu/~critcrim/Pepinsky/peace1.html> retrieved September 15, 2007.
- Pepinsky, H. (2005). A criminologist's quest for peace. critcrim.org, Division on Critical Criminology, American Society of Criminology; <http://critcrim.org/critpapers/pepinsky-book2.htm>; retrieved September 25, 2007.
- Pepinsky, H. (2006). Peacemaking in the classroom. *Contemporary Justice Review*, 9(4), 427-442.
- Pepinsky, H. (2007). *Peacemaking: Reflections of a radical criminologist*. Ottawa: University of Ottawa Press.
- Pepinsky, H. (2002). A struggle to inquire without becoming an un-critical non-criminologist. *Critical Criminology*, 11(1), 61-73.
- Pepinsky, H. (2003). "Why People Resist Believing RA/MC happens, and What Child Abuse does to Political Culture."

- Pepinsky, H. (2005). Sharing and responding to memories. *American Behavioral Scientist*, 48(10), 1360-1374.
- Pepinsky, H. (2002). Why People Resist Believing RA/MC Happens, and What Child Abuse does to Political Culture. Paper presented at the Sixth Annual Ritual Abuse, Secretive Organizations and Mind Control Conference, August 9 - 11, 2002 Windsor Locks, CT
- Pepinsky, H., & Quinney, R. (Eds.). (1991). *Criminology as Peacemaking*. Bloomington: Indiana University Press.
- Pepinsky, Westbrook, & LaBrier. (2002). The Experience of Revealing Personal Testimony to Classes Full of Strangers. Paper presented at The Fifth Annual Ritual Abuse, Secretive Organizations and Mind Control Conference, April 9-11, Windsor Locks, CT.
- Plinius Secundus, C. (1601). *The historie of the world: Commonly called the naturall historie of. C. Plinius Secundus*. (Philemon Holland, trans.). London: Adam Islip; <http://penelope.uchicago.edu/holland/pliny10.html>; retrieved September 28, 2007.
- Power, F. C., Higgins, A., & Kohlberg, L. (1989). *Lawrence Kohlberg's approach to moral education*. New York: Columbia University Press.
- Quinney, R. (1998). *For the time being: Ethnography of everyday life*. Albany, NY: State University of New York Press.
- Rosen, L. N., & Etlin, M. (1996). *The hostage child: Sex abuse allegations in custody disputes*. Bloomington, IN: Indiana University Press.
- S. M. A. R. T. (2007). *Ritual Abuse Newsletter*. P. O. Box 1295, Easthampton, MA 01027 USA; E-mail: smartnews@aol.com; <http://members.aol.com/smartnews/index2.html>; retrieved September 18, 2007.
- Sullivan, D. (2003). Facing into the wind's teeth; An interview with Hal Pepinsky . *Contemporary Justice Review*, 6(1), 69-80.
- Sullivan, D., & Tifft, L. (2005). *Restorative justice: Healing the foundations of our everyday lives*. Monsey, NY: Willow Tree Press.
- Sullivan, J. (1998). Meeting the individual needs of all learners in the inclusion classroom. *The Justice Professional*, 11 (1-2), 175-187.
- Sullivan, J. (2001). The school as a community of learners: meeting the needs of all in the inclusion classroom; an interview with John Sullivan. *Contemporary Justice Review*, 4(2), 219-231.
- Terr, L. (1994) *Unchained Memories: True Stories of Traumatic Memories, Lost and Found*. New York: Basic Books.
- Tifft, L. (1979). The coming redefinitions of crime: An anarchist perspective. *Social Problems*, 26, 392-402.

- Tifft, L.<tifft1ll@cmich.edu> (2007, September 25). Comments on Hal [personal email]. (2007, September 25).
- Tifft, L., Sullivan, J., & Sullivan, D. (1997, November 6-9). Discipline as Enthusiasm: An Entry Into the Recent Discussion on the Moral Development of Children. Paper presented at the annual meeting of the Association for Humanist Sociology, Pittsburgh, PA.
- Walsh, C. J. (2004, December 10). Disability in a Sustainable Human Environment: Time to Wake Up & Smell the Coffee! Keynote presentation at the Conference of Sustainable Design International Ltd. "Designing for the 21st Century III;" Rio de Janeiro, Brazil, December 7-12, 2004; http://www.sustainable-design.ie/sustain/Rio2004_CJWalsh_X_KeynotePresentation.pdf; retrieved September 22, 2007.
- Wright, L. (1994. *Remembering Satan*. New York: Knopf.
- Yazzie, R. (1998). The Navajo response to crime. *Justice as Healing*, 3(2), <http://www.usask.ca/nativelaw/publications/jah/yazzie2.html>; retrieved September 29, 2007.

NOTES

- ⁱM. K. Gandhi. *Statement to Disorders Inquiry Committee* January 5, 1920 (*The Collected Works of Mahatma Gandhi* vol. 19, p. 206) <http://www.gandhiserve.org/cwmg/VOL019.PDF>;retrieved September 22, 2007.
- ⁱⁱ See the commentary of Professor Robert Cavalier for the *Apology* in the syllabus of his course "Ancient Philosophy (80-250)" at Carnegie Mellon University; <http://caae.phil.cmu.edu/Cavalier/80250/part2/ApologyAnalysis.html>. The Platonic text for these remarks can be found in the *Apology*, 29c-31b.
- ⁱⁱⁱ For a discussion of "right living" see S. Nearing (1974).
- ^{iv} For an example of the school as just community, see Power, Higgins, & Kohlberg (1989) and McDonough, G. P. (2005).
- ^v Robert Maynard Hutchins was the Dean of Yale Law School (1927-1929) and the President of the University of Chicago (1929-1951); high among his notable works stands *The University of Utopia*. Chicago: University of Chicago Press.
- ^{vi} Pliny the Elder said in his *Natural History* (A.D. 77) *olorum morte narratur flebilis cantus, falso, ut arbitror, aliquot experimentis*, that is, "observation shows that the story that the dying swan sings is false"); see Book 10, Chapter XXIII.