



The role of the conflict facilitator in the reconfiguration of the perpetrator's masculinity in a restorative justice process

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Abstract

In this qualitative design study, 20 interviews were conducted with men who currently work as conflict facilitators in various prosecutors' offices in the country to learn through the facilitator's narrative about their perception of masculinity and how this perception influences their professional work in a restorative justice procedure when one of the parties is a violent man. The information was analyzed from a thematic approach following the proposal of Braun and Clarke (2006), and the qualitative software ATLAS.ti was used for organizing and processing the information. Among the most significant findings were the facilitators' perceptions of concepts such as masculinity and its characteristics, new masculinities, and their relationship with conflict resolution, and how, about these concepts, it is possible to restructure the role of the facilitator in restorative justice processes.

Keywords: Restorative justice, Masculinity, New masculinities, Conflict facilitators, peaceful conflict resolution.

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I. Introduction

Gender studies on men and masculinity are relatively young. It is possible to situate the foundations of these studies in the 1970s and early 1980s with the treatise *The Myth of Masculinity* by Joseph Pleck in 1983, which emblematically studies the sexual role of males and the social expectations of their behaviors, a fact that led to the incorporation of studies with a gender perspective (Nuñez, 2016). Thus, studies on masculinities reflect on how men become men.

In the 1990s, Guttman (1998) reviewed the term “masculinity” from an anthropological perspective, highlighting four different meanings, ranging from the one used to define “masculine identity,” that is, everything that men think and do; “manhood,” which refers to everything that men think and do to be men; “manliness,” which refers to everything that men think and do to be men; and “masculine roles,” which focus on the central and general importance of relations between the masculine and the feminine, in such a way that men are more masculine than the rest. “Manliness,” points to men who are more manly than the rest, and “masculine roles” to those that concentrate the central and general importance of the relations between the masculine and the feminine, such that masculinity is anything that is not proper to a woman. According to Guttman (1998), men present their identity based on comparisons and contrasts with what they consider appropriate for women.

Based on this idea, Connell (1997), influenced by Gramsci’s studies and social class conflicts, coined the term “hegemonic masculinity,” which highlights the position of male domination over other men and the subordination of women (Flecha, Puigvert, & Ríos, 2013). In this way, this masculinity is imposed as a social mandate of what should be expected of a man because he is a man and establishes a hierarchy of superiority over everything considered feminine or that does not correspond to this hegemonic standard. This idea may imply a series of privileges for men over women; however, it also represents an important problem if we consider the pressure exerted on men to repress feelings or behaviors that are not under the mandate of normative masculinity. We can infer that men are constantly vigilant about the scrutiny of other men.

This involves the continuous search for masculine approval, endorsing and reproducing behaviors whose key characteristic lies in virility, which, according to Segato (2017), implies the practice of violence to be part of the dominant group; based on this idea, the same author indicates that the first victim of masculinity is the man who, to enjoy masculine prestige in front of other men, is forced to do what he does not want to do and sometimes not to do what he has to do to achieve a legitimization of virility through the masculinity mandate (Segato, 2018).

Another critical point to highlight is that although not all crimes have the sustaining of hegemonic masculinity as an underlying cause, it is contemplated as a first response to violence as a way of managing conflicts. Further, that violence is indeed a direct response to the mandate of hegemonic masculinity learned in the socialization process (Segato, 2018). Violence appears as the first option to resolve certain conflictive situations between males, which is the expected reaction of a man who attends to normative virility (Connell, 1997; Segato, 2017).

In response to this, different authors started questioning the concept of masculinity that was imposed by patriarchal structures for years, which under their analysis, no longer represented the majority of men, resulting in the opening of the term masculinity to the term “masculinities,” announcing its plurality and understood as multiple ways of being a man, of acting as a man, and living “in masculinity” (Gilmore, 1994; Kimmel, 1996; Falabella, 1997; Rodríguez del Pino, 2014). In this sense, the new masculinities can be understood as rejecting male domination (Elliot, 2016).

For his part, Gómez (2004) suggests the main characteristics of men who fit this model, namely self-confidence, strength, and courage, as strategies to confront the negative attitudes of hegemonic masculinity, and the explicit rejection of the double discourse of wanting to achieve equality with women without doing anything to achieve that goal; instead, they promote dialog to solve any problems (Flecha, Puigvert, & Ríos, 2013).

In this sense, we could highlight the relationship between the new masculinities and restorative justice as both seek the alternative resolution of conflicts through dialog. In this way, it is possible to define restorative justice as “a variety of practices aimed at responding to crime in a more constructive way than the response given by the traditional punitive system” (Kemelmajer, 2005: 273); hence, this model of justice is summarized in the responsibility of the perpetrator to respond for the act performed, restoration of the damage to the victim, and reintegration of the offender with society to somehow constitute a sense of community through the creation of non-violent relationships in society (Braithwhite, 2002).

From the perspective of restorative justice, it is possible to assert that it is necessary to inquire into the reasons for acting contrary to the law, not only to infringe upon such actions. In this sense, it is essential to understand the sociocultural reasons behind the acts of physical, verbal, or symbolic violence that are sustained by the mandate of hegemonic masculinity and to make them visible so that the result of this analysis leads us to rethink a different way of dealing with criminalization.

Following the above, it is essential to ask ourselves whether this criminalization of violent attitudes is a way of reconfiguring the mandate of hegemonic masculinity to give way to new ways of doing justice and rethinking the process of socialization of men and conflict resolution between men and women; further, it is also important to check whether this criminalization of violent attitudes is a way to reconfigure the hegemonic masculinity mandate. Based on this idea, it seemed important to focus on the conflict facilitator and construct the concept of masculinity through his narrative to learn how this perception can influence the restorative process and build new peaceful practices for men who commit violence to confront conflicts.

II. Methodology

To understand the facilitator's perception of masculinity and its influence on their professional work, a qualitative design study was chosen. It is important to emphasize that through the qualitative perspective, a particular value is given to the processes that the subjects live and face daily, their way of life, customs, and behaviors (Hernández, Fernandez, & Baptista, 2010).

A criterion-based purposive sampling was used (Hernández et al., 2010); specifically, men currently working as facilitators in various prosecutors' offices in Mexico. The participants were selected using the "snow-ball" technique, wherein, having contacted a selected individual, they suggest new participants among their acquaintances who meet similar criteria (Heckarthorn, 1997).

For reasons related to the COVID-19 pandemic and sanitary recommendations to keep social distribution, the data collection technique used was a semi-structured interview through the Microsoft Teams platform. Once the theoretical saturation was reached, the sample was considered closed, formed by 20 facilitators.

The interview guide was designed considering the research question, which addressed topics related to the facilitators' conception of the term masculinity and its influence on the outcome of a restorative justice procedure with a male perpetrator. Due to the nature of the qualitative paradigm, during the interview, in addition to the abovementioned topics, the possibility was left open to include topics that arose while applying the technique.

For the system of categorization and coding of the information obtained during the fieldwork, the topics considered in the interview guide were followed, and ATLAS.ti was used for organizing and processing the information. For the analysis of the information, a thematic approach was chosen following the proposal of Braun and Clarke (2006), which is a systematic method that identifies and analyzes patterns of repeated themes within the data, allowing the researcher to capture the subjective meaning of the actors and their experience, to construct social meanings by analyzing the coherence between subjects (Bayo, 2016: 146; Braun & Clarke, 2006: 79).

III. Findings And Discussion

The participants in this study have been working as conflict facilitators for 1–10 years; the interviews provided us with valuable information to understand their conception of masculinity and its influence on the outcome of a restorative justice procedure with a male perpetrator.

The following is a general presentation of the findings obtained in our study.

On the facilitators' conception of masculinity

The facilitators were asked what they understood masculinity to mean. The responses of our study subjects varied, but we found a consensus in terms of the description of masculinity that they identified as the characteristics that the masculine subject should have.

"Masculinity is the physical and psychological characteristics of a man, those that indicate he is a man and that is characteristic of men's behavior." FaC5

“More than physical characteristics that define a man as a male, it is the cultural conception we acquire and teach about what a man should be. The same society says that it is the man who is strong, capable, resistant, and a defender; he is also authoritarian, etc.” FaC19

“Set of characteristics, physical, or moral that are considered to be characteristic of the male, which distinguish us from women, is how a man should behave, as a social rule that indicates to others that one is a man.” FaC20

In addition to physical characteristics, the facilitators also point to specific behavior in men's actions as an attribute of masculinity, virility, and even understand masculinity as behaviors that distinguish men from women. Concerning the latter, we concur with Guttman (1998) on how men present their identity based on behaviors learned during socialization and comparisons and contrasts with what they see as feminine. Moreover, they relate masculinity to socially constructed cultural attributes. On this idea, it is possible to infer that the facilitators conceive masculinity based on gender according to Burin and Meler's thesis (2000:23) as “the network of beliefs, personality traits, attitudes, values, behaviors, and activities that differentiate men and women” (Burin & Meler, 2000:23).

Characteristics of masculinity

In turn, when we asked them to delve deeper into describing what characteristics a male must have to be considered masculine, the facilitators mentioned physical characteristics ranging from strength, genital organs, and voice to qualities of the individual such as courage or honesty; they also highlighted behaviors and roles such as being the provider and patriarch of the family.

“The main characteristics of a man are strength and courage.” FaC2

“Physical characteristics mean having a deep voice, an extended chest, mustache and beard on the face, and thick skin.” FaC11

“A masculine man is courageous, strong, virile, and physical characteristics include genital organs, testosterone, a deep voice, corporeality, and his conduct. He is the male provider of a household and is secure and supportive with the family.” FaC15

This result indicates that what is socially expected of a man is clear to the facilitators. It is consistent with what Conell (1997) mentioned about how another mandate associated with masculinity is the role of “protector” and is related to the responsibility of fulfilling the function of protecting and being a family patriarch.

New masculinities

Notwithstanding that, in the previous category, the conception of masculinity of the participants responds to social mandates proper to hegemonic masculinity (Segato, 2017); among the 20 facilitators interviewed, we found interesting testimonies when we questioned them what “being very manly” meant to them. The answers were varied, but the approach to the concept of new masculinities made by the subjects stands out.

“The man who is very much a man is the one who cries, washes, sweeps, makes food, and takes care of his children.” FaC5

“When a man washes clothes and does not feel sorry for himself, when he eats and does not feel sorry for himself, and when he cries in front of his wife—that is for me a man.” FaC14

Concerning this category, it is possible to infer that meanings are constantly changing, that the construction of what is conceived as masculinity is neither static nor timeless, and that it is possible to change the social patterns. Likewise, we can agree with Falabella (1997) and Rodríguez del Pino (2014) that as masculinity is a social construction, it cannot be pigeonholed only in terms of following cultural mandates because society changes over time, and many men no longer fit into the conception of hegemonic masculinity.

On conflict resolution

The facilitators were also asked how masculine men should resolve their conflicts. The response was a peaceful resolution.

"Conflicts should be resolved by dialoging and listening to the other person with whom you have a problem." FaC1

"By way of dialog, being empathetic with the person, in a cooperative way to achieve win-win." FaC7

"Well, I have been witnessing for a long time that it is the best option... to resolve through dialog and negotiation, fostering the culture of peace in society." FaC20

Concerning this last point, our findings allow us to differ with Conell (1997) in pointing out that although our study subjects respond to a conception of masculinity based on culturally established roles, violence does not prevail as the first response to conflict resolution to demonstrate virility, but instead, they prioritize and disseminate the peaceful resolution of controversies through dialog.

Role of the facilitator in restorative justice processes

Among the benefits of restorative justice for men who have engaged in violent behavior, we find that for the facilitators, the restorative process is fundamental for a change in the behavior of the individual because by resolving conflicts through dialog, the stereotypes culturally imposed on men are broken, thereby changing the paradigm of using violence as the first response.

"Restorative justice in violent men is positive; they locate and identify their strengths and weaknesses based on the knowledge acquired and can change their macho stereotype." FaC1

"It is a therapy that helps to see from another perspective the damage caused not only to the victim but to a whole society." FaC20

"Restorative justice grants the opportunity to go through a history marked by violent behaviors of the male figure; to inquire into the causes of his violent behavior; to recognize that the masculine man is not made based on violence; to answer the question: what kind of man do you want to be; the opportunity to externalize what you feel and think and what you are looking for." FaC19

"It has benefits in hearing the victim's feelings and thus feeling true repentance." FaC16

"It makes the violent man modify his behavior so that he understands the damage it causes to himself, the victim, and society." FaC8

For the facilitators, restorative justice manages to break paradigms because by investigating the motives and sociocultural reasons that led the individual to behave in a certain way, it also confronts him with the ties imposed on him through the mandate of hegemonic masculinity and makes him visible; at the same time, he faces the victim and understands how his behavior affected him. In this sense, we agree with the principles of restorative justice proposed by Kemelmajer (2005) about the fact that an existential process leads to the reference of a "3R" model: "Responsibility" of the perpetrator to face his behavior, "Restoration" to the victim, and "Reintegration" of the perpetrator to society; after all, restorative justice should emphasize the restoration to society (Zehr, 1990).

An important detail that we can highlight in this research is that the conflict facilitators interviewed recognize their role as agents of change as well as their performance in the restorative process in achieving a paradigm shift in the behaviors of violent men.

"Yes, sometimes, you grow up in a place, in a society where you are taught to be violent, and you have the notion that "this is the way man is"; to see a different approach where man does not need to be violent to say what he thinks or what he wants, this implies being so without offending or affecting others. Man is a person, and that is why, he can laugh, cry, express his feelings, live, and seek his own way of being without affecting the rights of others. The facilitator must act by example." FaC13

"The facilitator has the task of making this violent man see that he needs to learn about his behavior and thus diminish this person's macho attitudes or behaviors, which is also part of the restorative process." FaC20

In this sense, we agree with what is stated by Hernández and Cabello (2018: 251) in that the neutral third party must be a person specialized in the subject, with the necessary studies and sufficient communication techniques, which guarantee the effectiveness of the process, to this, for our part we add, that this neutral third party must also be seen as a subject of change, an example to follow, whose conduct of the process is identified by the perpetrator as a manager and disseminator of dialog as the first response to resolve conflicts.

IV. Closing Remarks

After reviewing the findings of the interviews with the 20 facilitators from various prosecutors' offices in Mexico, we have concluded that there are certain beliefs or thoughts about men and that men have specific physical characteristics and qualities that represent them simply because they are men.

It is agreed that masculinity is often associated with the violence that men themselves exercise against other people. In other words, on many occasions, the macho behaviors of men tend to become crimes.

In this regard, we can infer that there is a clear perception of how a facilitator should deal with a violent man; this does not necessarily mean that they are clear about how they should approach him or direct their intervention, but they can identify him, which leads us to think that if male facilitators were trained in gender violence issues, they could transmit this knowledge to the men they serve, under an impartial and objective discourse.

Although restorative justice is not therapy, it is an opportunity for the parties to discuss what happened. If the facilitator is knowledgeable about gender and new masculinities, they can guide the session from this approach and help the violent man learn more about what happened and how his machista behavior has affected others.

Taking into consideration that restorative justice is an evolved form of justice, we believe that if we work with violent men in this type of procedure, we can achieve findings that have not necessarily been obtained when traditional justice has been implemented; therefore, to the extent that these mechanisms are used with a differentiated approach and with a gender perspective and knowledge of new masculinities, we can obtain a result that is focused on the learning of the male aggressor.

We consider it extremely important that once these results have been obtained, serious consideration must be given to restorative justice processes for resolving conflicts involving men. However, we believe that to have promising results, these facilitators must be highly sensitized to gender issues and new masculinities.

In this way, the aggressor can not only repair the damage to the victim, as occurs in this type of procedure, but also learn how his actions or macho behavior has harmed other people; the extent to which he can become aware of this situation, he can change this behavior and work to eradicate it.

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