
To what extent has Structural Violence influenced the School-to-Prison Pipeline and how is Restorative Justice effective for combating the system?

Mary Mbugua

Abstract

The significance of the research is to demonstrate how Restorative Justice is an efficacious method for combatting the School-to-Prison Pipeline. To examine the Restorative Justice strategy, a series of engagements were conducted in a local high school to examine how Structural Violence is prominent in a school setting with the staff. In 2013 and 2014, Black students were 39.9% at higher risk for out-of-school suspensions, despite making up 15% of the school population. The contributor to this is the School-to-Prison Pipeline; the system displaces students of color with disproportionate distributions of disciplinary actions through Structural Violence. The disciplinary measures escalate to the point of students being involved with the criminal justice system. Zero-tolerance policies are prominent measures that schools use to determine the punishments a student receives. Since the United States' campaign on combating the War on Drugs during the 1970s and 80s, people of color contributed to a majority of the arrests as a result of zero-tolerance tactics. Despite the prominence of zero-tolerance policies in schools, Restorative Justice is an effective tactic for managing disciplinary measures and combating the School-to-Prison Pipeline.

Introduction

During the 2013-2014 school year, 39.9% of Black students were more at risk for receiving out-of-school suspensions, despite only making up 15% of the population (Skiba). The correlation with the data is the School-to-Prison Pipeline system. The system functions when students in urban or rural areas in K-12 schools are given disciplinary actions in schools that escalate to where students end up in the criminal justice systems; the system particularly targets students of color (Gomez). The School-to-Prison Pipeline system does not differentiate between minor or major offenses. The school administrators particularly target students of color who are perceived as “threatening” or “unmotivated” to learn through prejudice. The inequitable actions cause Black, Indigenous, and People of Color to have lower graduation rates and fewer opportunities.

The School-to-Prison Pipeline is influenced by zero-tolerance policies. The policies are a set of procedures for schools to use when determining the amount and severity of punishments a student receives based on their offenses. The guidelines are strict and have no tolerance for a student’s circumstances. The procedures disconnect students from the classroom to prevent incidents in schools by removing them if they disrupt the learning environment (Intercultural Development Research Association). The usage of zero-tolerance policies escalated after the 1999 Columbine Massacre.

In 1999, on April 20th, Dylan Klebold and Eric Harris from Columbine High School in Littleton, Colorado committed a mass shooting. They killed a teacher and twelve students and later committed suicide (Federal Bureau of Investigation). As a response to the massacre, schools across the U.S. implemented zero-tolerance Policies. The purpose of the policies is to ensure students are learning in a safe and productive academic environment while preventing incidents, e.g. the 1999 Columbine Massacre, from occurring.

The United States is a first-world, developed country that was transformed through Globalization and Development. As a result, this has expanded countless assets e.g. infrastructures, agriculture, the economy, etc. However, despite these accomplishments, the U.S. has not found effective solutions to dismantle the School-to-Prison Pipeline. Zero-tolerance techniques create a dangerous school environment for students and staff.

Structural Violence

Initially, Structural Violence, as defined by theorist Johan Galtung, is when governments (or other versions of power) operate with physical and mental techniques to harm individuals (Washington State Legislature). For instance, inequalities that deny individuals fundamental rights i.e. access to food and clean water, shelter, etc. This results in illnesses, poverty, homelessness, death, etc. The government does this version of violence to forcefully undermine individuals’ well-being (Sinha et al.). However, if a government is poor and doing its best to provide for citizens but is faced with humanitarian disaster and people die; they are not guilty of Structural Violence. However, if a government hoards the wealth within the elite while failing to spend government resources for the citizens to protect them from diseases despite having the availability of the necessities, etc, they are guilty of Structural Violence (Kirsch 21). The meeting with the principal concluded that the School-to-Prison Pipeline system’s tactics function through Structural Violence.

To illustrate, when a student misses school for punishment, they lose valuable time for learning and socializing with their peers, who help develop their social and emotional skills. Since the student does not have the administrators and those involved in the situation to discuss the issue, the student is prone to continue their behavior. If the behavior is not addressed, they are at risk of using those behaviors to commit crimes. However, if a student does not commit crimes, when they miss school, they do not receive enough learning time that will help them graduate or find jobs. What are zero-tolerance policies and how are they prominent in schools?

Zero-Tolerance Policies

During the 1970s and 1980s, the U.S. launched and expanded a campaign on the War on Drugs to tackle crime that involved drugs. The drugs resulted in the highest arrest rates in the country. When a person was caught with drugs, i.e. Marijuana, they would be immediately arrested. In 2020, despite only making 13% of the population in the U.S., Black individuals made 24% of drug arrests (Cohen et al.). The campaign criminalized individuals who had possession of the drugs or tried to sell the items. Despite criminalizing the individuals, the overdose rates have skyrocketed particularly towards Black individuals since 2015 due to the disproportionate distribution of the drugs among the communities (Gramlich). The campaign aimed to use police power to combat offenses relating to drugs in communities through zero-tolerance tactics.

In the School-to-Prison Pipeline, Structural Violence is used through zero-tolerance procedures to undermine students that are not cooperating with the school's policies. Zero-tolerance are mandated policies that are determined in advance of the offense and situation, despite the behavior, while neglecting the circumstance (Teske). For instance, the choice of the structures for policies that cause harm to the students. This leads to preventable suffering and causes the students to be harmed and lack necessities for their academics. The tactics are widespread but often not challenged, thus difficult to identify the people responsible. The high school's administrators discussed that zero-tolerance policies do not help students overcome their behavioral difficulties. For students that struggle with the difficulties, they are prone to violating school policies e.g. disrupting the class, etc. The expectations that educators set on students do not satisfy the students' needs, particularly when basic classroom tactics fail. Zero-tolerance policies fail to acknowledge that students who struggle with difficulties often do not have proper control of their behaviors (Alnaim); the disciplines discriminate against students who are Black, Indigenous, and People of Color or are not receiving enough support.

Restorative Justice

In the Justice concept, Restorative Justice, as defined by theorist Howard Zehr, is the process for individuals who are involved in an offense while trying to observe and address obligations and harms (Zehr and Reeder). The practice aims to overall support individuals involved in the situation through healing techniques while searching for solutions to resolve the issue. However, schools often neglect the need for students to self-reflect and understand accountability when an offense is committed. In Restorative Justice, for a person to understand their actions, they need to reflect on their behavior and how they impact themselves and others through a healing circle. The circle helps students and adults to discuss in a group setting. The group looks for outcomes to address

the situation with the students and reflect on problem-solving skills. Communication is important for identifying the situation, and allowing the students to express their thoughts while observing perspectives.

Similarly, healing is important for a person to increase their self-awareness with greater control of the situation with their core values. However, unlike Restorative Justice, the School-to-Prison Pipeline System does not support students in their reflection. Instead, the system punishes students with discipline, despite the students' circumstances of not knowing how to regulate their emotions and behavior appropriately. This prevents students from developing healthy relationships with teachers since students feel they are troublemakers. Self-reflection is important for humans to maintain healthy relationships and strong communication. The School-to-Prison Pipeline thrives when students are unable to receive support for their emotional learning due to miscommunication.

Additionally, having healthy mental health is crucial for students to sustain healthy relationships with themselves and their peers. Restorative Justice in schools should focus on improving students' mental health through implementing health services. The services will help improve the lives of the students through treatment and support systems to ensure they are thriving. When students have good health, this helps them succeed in their academic and personal lives.

To have a successful circle session that practices Restorative Justice principles, people need to respect different opinions for the session to function. However, Theorist Paul Takagi argues that the practice does not fix the structures of inequality, thus ensuring people with high risks of being offenders turn to crime (Saylor Academy). The main weakness of Takagi's study is that Restorative Justice is resolving inequalities by having the people share their perspectives and develop solutions. The practice is not accepting the offender's actions as righteous, but rather, understanding from accountable perspectives and not turning them into criminals.

Furthermore, schools need to support students to be engaged in a safe and supportive environment by providing resources. Schools should approach the School-to-Prison Pipeline by ensuring students remain in school despite health-related difficulties. In contrast, journalist Alison Morris argues that Restorative Justice minimizes crime, ensuring that the victims do not recover and the offenders have not improved, leading to imbalance (Saylor Academy). The limitation of Morris' study is that the causes of an offense does not make the crime acceptable. Restorative Justice helps people involved in the situation by collaborating with a group on ways to resolve the issue while healing themselves with reflection and health services. In schools, when students cannot regulate their behavior this increases the difficulties of behavior management. The students have difficulty focusing on their studies and interacting with their peers, resulting in fights that lead to disciplinary actions. In columnist Tony Kinnett's study, they argue that Restorative Justice does not improve the school environment and prolongs misbehavior. The theory does not rationalize on how students will interact after fights; further indicating that adapting the technique "kills classrooms" and increases violence (Kinnett). However, there is inconsistency with Kinnett's argument, Restorative Justice does improve school environments, by ensuring that students' well-being are good and reducing behavioral issues. The technique does not "kill classrooms" through the decrease of detentions, suspensions, and expulsions or make schools unsafe.

Conclusion

The purpose of the research was to indicate how Restorative Justice creates a safer school environment for students and staff compared to zero-tolerance. The purpose of the disciplinary measures (e.g. zero-tolerance policies) is to reduce dangerous incidents from occurring in schools. However, this approach to resolving the incidents has increased the prominence of the School-to-Prison Pipeline through Structural Violence. Zero-tolerance policies are present in the School-to-Prison Pipeline since the policies do not consider a student's circumstance(s) while undermining their educational rights.

Restorative Justice is more effective than zero-tolerance policies because the concept's techniques address the need for a student's well-being, compared to the policies that neglect the impact of the punishments on a student's mental health. When students have trouble regulating their mental health and behaviors, they are prone to continuing their behavior, resulting in more disciplinary actions. But when students have support for their health, this allows them to have stronger control of their emotions and how they react to situations. Restorative Justice allows people to reflect on their actions; this can be done through circles initiating restorative concepts. The circles consist of the people affected from the situation and the offenders who practice healing techniques. Students who practice healing and self-reflection can maintain relationships and communicate their mental health needs. Moreover, addressing behavioral issues allows students to strengthen problem-solving skills in their personal and academic lives. If the School-to-Prison Pipeline is not combated, students are denied the necessary education that will help them succeed in life and make a difference in the world.

Reference

- Alnaim, Mariam. "The Impact of Zero Tolerance Policy on Children with Disabilities." *ERIC*, 29 January 2018, <https://files.eric.ed.gov/fulltext/EJ1170385.pdf>. Accessed 20 October 2024.
- Cohen, Aliza, et al. "How the war on drugs impacts social determinants of health beyond the criminal legal system." *National Library of Medicine*, 20 July 2022, <https://pmc.ncbi.nlm.nih.gov/articles/PMC9302017/#CIT0015>. Accessed 20 October 2024.
- Federal Bureau of Investigation. "FBI Records: The Vault — Columbine High School." *FBI Vault*, 2010, <https://vault.fbi.gov/Columbine%20High%20School%20>. Accessed 20 October 2024.
- Gomez, Roxana. "What is the school-to-prison pipeline? | ACLU of Washington." *ACLU of Washington* |, 22 September 2023, <https://www.aclu-wa.org/story/school-prison-pipeline-what-it-how-it-functions-and-how-we-can-work-dismantle-it>. Accessed 20 October 2024.
- Gramlich, John. "Recent surge in U.S. drug overdose deaths has hit Black men the hardest." *Pew Research Center*, 19 January 2022, <https://www.pewresearch.org/short-reads/2022/01/19/recent-surge-in-u-s-drug-overdose-deaths-has-hit-black-men-the-hardest/>. Accessed 20 October 2024.
- Intercultural Development Research Association. "Zero Tolerance Policies Push Students Away." *IDRA*, 2017, <https://www.idra.org/resource-center/zero-tolerance-policies-push-students-away/>. Accessed 20 October 2024.
- Kinnett, Tony. "Restorative Justice' Is Killing American Classrooms." *Gale in Context*, 2023. Accessed 20 10 2024.
- Kirsch, Max. *Global Politics: Course Companion*. Oxford University Press, 2017. Accessed 20 October 2024.
- Saylor Academy. "Restorative Justice: Criticism." *Saylor Academy*, 2024, <https://learn.saylor.org/mod/book/view.php?id=30499&chapterid=6401>. Accessed 20 October 2024.
- Sinha, Parul, et al. "Structural Violence on Women An Impediment to Women Empowerment." *Indian Journal of Community Medicine*, 2017, https://journals.lww.com/ijcm/fulltext/2017/42030/structural_violence_on_women__an_impediment_to.3.aspx. Accessed 20 10 2024.
- Skiba, Russell. "ERIC - ED488918 - Zero Tolerance: The Assumptions and the Facts. Education Policy Briefs. Volume 2, Number 1, Summer 2004, Center for Evaluation and Education Policy, Indiana University, 2004." *ERIC*, 2004, <https://eric.ed.gov/?id=ED488918>. Accessed 20 October 2024.
- Teske, Steven C. "A study of zero tolerance policies in schools: a multi-integrated systems approach to improve outcomes for adolescents." *PubMed*, 2011, <https://pubmed.ncbi.nlm.nih.gov/21501285/>. Accessed 20 October 2024.
- Washington State Legislature. "RCW 28A.315.005: Governance structure." *WA.gov*, 2012, <https://app.leg.wa.gov/rcw/default.aspx?cite=28A.315.005>. Accessed 20 October 2024.
- Zehr, Howard, and Brett Reeder. "Summary of "The Little Book of Restorative Justice."" *Beyond Intractability*, 2002, <https://www.beyondintractability.org/bksum/zehr-little>. Accessed 20 October 2024.