

## The heritage of Greek tragedies as source of inspiration for restorative justice in *theoria* and in *praxis*

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**Abstract:** *Human drama and conflicts have enormously inspired Greek tragedies, which are characterized by “timelessness” and “universality”, and thus, can “host” individual conflict cases, individual human pain and suffering. Theoretical and philosophical connections between Greek tragedies and restorative justice processes can be found on rituals used for conflict transformation. Moreover, the ancient Greek concept of “parrhesia”, as it has been studied by Michel Foucault, seems to be important for both the heritage of Greek tragedies and the core restorative value of the truth. In addition, a “modern glance” on Greek tragedies can contribute to the development of restorative justice in practice, in a double way: First, Greek tragedies, combined with current scenic practices, might be a useful tool for the phase of preparation of stakeholders before a restorative encounter. Second, awareness on restorative justice can be promoted by using fictional, imaginary restorative dialogues while maintaining the issue data of a conflict of a tragedy.*

**Keywords:** restorative justice, conflict transformation, Greek tragedies, parrhesia, self-identity, empathy building, scenic practices

### Introduction: Greek tragedy as the oldest artistic model for transformation of human conflicts

Greek tragedy, one of the oldest written forms of drama worldwide, was considered by Aristotle as the greatest and the most important type of art. The Stagira philosopher in his famous “Poetics” has provided a generally accepted definition of tragedy as “*the imitation of an action that is serious and also, as having magnitude, complete in itself; in language with pleasurable accessories, each kind brought in separately in the parts of the work; in a dramatic, not in a narrative form; with incidents arousing pity and fear,*

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wherewith to accomplish its catharsis of such emotions<sup>89</sup>". According to the Aristotelian definition, tragedies contain four core elements, which are the "imitation", the "pity" and "fear" and the "catharsis".

The "imitation" (Greek μίμησις, *mīmēsis*) is the use of artificial means in an effort to capture the essence of reality. The "pity" (Greek ἔλεος, *eleos*) is the feeling of deep pain somebody experiences when faces the suffering of another person, thus can be considered as a result of the recognition and understanding of emotions in others (empathy). The "fear" (Greek φόβος, *phobos*) is the sense of panic or terror which makes a person feeling unable to control itself. The two last elements of the tragedy, the feelings of pity and fear, are finally purged, cleansed ("catharsis"). In fact, "catharsis" is a constructive, educative, cleansing and honest process. Nevertheless, this process is enormously rough, because it requires confronting and dealing with pain and suffering.

Greek Tragedies are inspired by the original mythological material representing passions, conflicts and moral dilemmas that reveal the complexity of relationships and invite the protagonists to have strong interactions. However, tragedies are not penned in order to demonstrate the objective truth of the story. On the opposite, protagonists' dialogues and/or monologues reveal their vulnerability as well as their personal needs, such as the need for forgiveness, the need for recognition, the need for expression etc. In addition, the element of drama of a conflict is unfolded in a "natural", balanced way, without underestimation of the conflict *per se*, nor devaluation of human endeavor. Finally, tragedies as experiences of dealing with human suffering and conflicts were part of ancient Greeks citizens' public education. Thus, they are written to be lived as collective experiences, performed publicly in front of spectators, not just to be read by individual readers<sup>90</sup>.

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<sup>89</sup> «Ἔστιν οὖν τραγωδία μίμησις πράξεως σπουδαίας καὶ τελείας, μέγεθος ἔχουσης, ἡδυσμένῳ λόγῳ, χωρὶς ἑκάστῳ τῶν εἰδῶν ἐν τοῖς μορίοις, δρώντων καὶ οὐ δι' ἀπαγγελίας, δι' ἑλέου καὶ φόβου περαινουσα τὴν τῶν τοιούτων παθημάτων κάθαρσιν», Αριστοτέλης, *Περὶ Ποιητικῆς*, κεφ. 6, 1449b24-28, english translation by Bywater 1920, 35.

<sup>90</sup> Frye 1971

## **1. Greek tragedies and literature as source of inspiration for restorative justice in *theoria***

In Greek Tragedies, the individual and collective values are put in challenge and once conflicts arise, the concept of the tragic is established. In fact, the production of a human drama is the result of the coexistence and tension between two opposite forces, two central principles: the “Apollonian” and the “Dionysian” one<sup>91</sup>. The first one derives from the Greek god of light, and is the basis for analytic distinctions, strongly related to the idea of individuation, through which form and structure are provided. The second one, derives from the Greek god of wine, of drunkenness, of ritual madness, of theatre etc., and represents situations of chaos and destruction, in which individuation is broken down, thus undisciplined forms of enthusiasm and ecstasy surpass pity and fear. The confrontation between the heroes is inevitable; the two opposite but completing each other elements in Greek tragedies represent the tension between the attempt to defuse a conflict/suffering and to rebuilt a broken, human relationship.

The emphasis on dealing with suffering through confrontation is a key element of connection between the ancient tragedies and restorative processes, in which crime is approached as “*a violation of interpersonal relationships*”<sup>92</sup>. Common ground between Greek tragedies and restorative justice, mediation in particular, can be found not only in terms of the rituality of the process, but also on the basis of values, that is to say the ethics of the speech.

### **1.1. Common ground in terms of the rituality of conflict transformation**

The theoretical connection between mediation and Greek tragedies has been established through the famous work of Jaqueline Morineau, a French archeologist and founder of the Center of mediation and of training in mediation in France (*Centre de Médiation et de Formation à la Médiation*). Morineau remarks that the real essence of a tragedy is close to contemporary social thinking because tragedies can be considered as the representation in action of an experienced crisis in transition<sup>93</sup>. According to this author, Greek tragedies offer stories of conflicts, of human suffering, in which the

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<sup>91</sup> Nietzsche 1993, 147

<sup>92</sup> Zehr and Mika 1998, 17

<sup>93</sup> Morineau 2010, Morineau 2016

persons are confronted to their own emotions and the repercussions of their own acts and choices. In addition, a process of a restorative encounter in form of mediation is like a theater play on the stage, in which the drama - the suffering and the conflict - occur.

Similarly to a mediation, a tragedy respects and follows a ritualized process, which can be devised in three steps: the "theoria", the "crisis" and the "catharsis". The first one, the "theoria", is the moment of personal expression of each party, of sharing one's point of view and reality with others. The second one, the "crisis" is the phase of the confrontation, of the recognition of the suffering of the other through a painful but honest exchange. The third one, the "catharsis", is the transformative one, that is to say the moment of the awareness which allows the protagonists to surpass themselves and to search for solutions to appease the conflict situation.

Moreover, the role of the facilitator can be linked to the role of the "chorus" in the context of a Greek tragedy. The "chorus" is not a single person but a group of actors-performers. This group intervenes in unison and in interaction with the protagonists in order to narrate some information about the case or to comment on the action of the drama. The role of the "chorus" is of vital importance for the whole progress and evolution of the tragedy on stage. In Nietzsche's terms the chorus acts as "*a living wall against the assaults of reality because it (...) represents existence more truthfully (...) and completely than the man of culture does, who ordinarily considers himself as the only reality*<sup>94</sup>".

All in all, the common ground between the tragedy and the restorative process of mediation, both conceived as human-centric processes of transformation through rituals can be summarized to the following three elements: a) human centric *approach of conflicts* - both put the human being in the center of the process, that is to say they deal with the complexity of human relations and conflicts, human pain and emotions, human passions etc., b) human-centric *teleology of the process* - both provide an opportunity for recovery in a personal, social and cultural level, c) use of human-centric *resources* - both provide a forum for the development of several skills, such as communication, active responsibility, social engagement, citizenship etc.

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<sup>94</sup> Nietzsche 1993, 201

## 1.2. Common ground in terms of speech's ethics: the ancient Greek concept of "parrhesia"

One of the core values of restorative justice is the truth. Restorative processes offer a forum to each person "to give a true account of the harm or risk of harm as they experience it", recognizing "that each person's account contains truth but may not be the complete truth. Something closer to the complete truth emerges from questioning and dialogue<sup>95</sup>". In fact, the experience of the restorative approaches in transitional justice settings has revealed the importance of three more concepts of truth, beyond the "factual or forensic" one, which is dominant in the frame of a traditional criminal trial<sup>96</sup>; the "personal and narrative truth" that is to say the testimony of the individual, the unique story of a person experiencing and "the acceptance of the validity" of the personal narrative; the "social or dialogical truth", which is "the result of interaction, discussion and debate" and, finally, the "healing or transformative truth" which encompasses, incorporates and gives meaning to each of the above types<sup>97</sup>.

The dialogue established in the frame of a restorative process is honest and, thus, painful. The honesty and the painfulness act of speaking the truth refers to the ancient Greek concept of "parrhesia", which means "telling all" or "free speech". This concept has been used by Michel Foucault to study the relationship between the subject and the truth<sup>98</sup>. According to him "the one who uses parrhesia, the parrhesiastes, is someone who says everything he has in mind: he does not hide anything, but opens his heart and mind completely to other people through his discourse<sup>99</sup>". To better understand the concept of "parrhesia", the French philosopher analyzed its occurrences in six tragedies of Euripides, namely (1) Phoenician women; (2) Hippolytus; (3) The Bacchae; (4) Electra; (5) Ion; (6) Orestes. In the frame of the Greek tragedies examined by Foucault, the "parrhesia" seems to be a vital value and the purpose of the "parrhesiastes" seems to be the influence of an outcome through speech<sup>100</sup>.

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<sup>95</sup> Chapman and Törzs 2018, 12

<sup>96</sup> Taylor 2007, 216

<sup>97</sup> Savage 2018

<sup>98</sup> Foucault 1983

<sup>99</sup> *Ibid*, 2

<sup>100</sup> In particular, according to the philosopher "in the first four plays, parrhesia does not constitute an important topic or motif; but the word itself generally occurs within a precise context which aids our understanding of its meaning. In the last two plays – Ion and Orestes – parrhesia does assume a very important role. Indeed, I think that Ion is entirely devoted to the problem of parrhesia since it pursues the question: who has the right, the duty, and the courage to speak the truth? This parrhesiastic problem in Ion is raised in the framework of the relations between the

In fact, the concept of “parrhesia” allows an ethical conception of speech as a means of “subjectivation”, that is to say as a “*type of act by which the subject, speaking the truth, manifests himself*”<sup>101</sup>. The “parrhesia” in Foucault’s thinking is, thus, presented as “*a form of subjectivation*”<sup>102</sup> introducing as well a “*new ethic of the verbal relationship to the Other*”<sup>103</sup>. Furthermore, the philosopher underlines the pragmatism of “parrhesia”, which goes far beyond an honest “intellectual” discourse<sup>104</sup>. Rather, it implies a complete opening up of what a person has in their head or heart, a direct and honest exposure of their deepest feelings, of their inner truth, through any means possible. Accessing personal truth “*requires the subject to transform itself, to become an ethical subject of truth*”<sup>105</sup>. Therefore, courage is an indispensable condition of “parrhesia” as a *praxis* of truth and it is inevitably linked to the risk of provoking dissatisfaction, strong emotions, and the very anger of the interlocutors, a risk which the person must assume. Thus, speaking with “parrhesia” is a moral choice<sup>106</sup>.

All in all, the concept of “parrhesia” seems to be extremely relevant for restorative justice process. As it has been pointed out, “*restorative dialogues seem to be nothing but moments of parrhesia, where offenders and victims – better: those who have caused harm and those who have been harmed – talk to each other at their own risk, conveying what truly matters to them*”<sup>107</sup>.

## **2. Greek tragedies through current scenic practice as source of inspiration for restorative justice in *praxis***

Beyond the theoretical interest of the connection(s) between the Greek tragedies and restorative justice, there is also a practical one. In some Greek tragedies there is a

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*gods and human beings. In Orestes – which was written ten years later, and therefore is one of Euripides’ last plays – the role of parrhesia is not nearly as significant. And yet the play still contains a parrhesiastic scene which warrants attention insofar as it is directly related to political issues that the Athenians were then raising. Here, in this parrhesiastic scene, there is a transition regarding the question of parrhesia as it occurs in the context of human institutions. Specifically, parrhesia is seen as both a political and a philosophical issue”, Ibid, 9*

<sup>101</sup> Foucault 2009, 4

<sup>102</sup> Rojas 2012, 51

<sup>103</sup> Foucault 2001, 158

<sup>104</sup> *Ibid*, 357

<sup>105</sup> Fruchaud and Bert 2012, 152

<sup>106</sup> Foucault 1983

<sup>107</sup> Bertagna and Mazzucato 2020, 62

direct confrontation and dialogue between the protagonists of a conflict, such as the dialogue between Antigone and her uncle Creon (“Antigone” by Sophocles), the dialogue between Electra and her mother Clytemnestra (“Electra” by Sophocles), or the dialogue between Menelaus and Hecuba (“The Trojan Women” by Euripides). What would happen if we could replace the original tragic dialogues with restorative ones, based on the suffering and pain of the original data? Is there any potential of such a practice for restorative practitioners and advocates?

## **2.1. Using Greek tragedies for stakeholder’s preparation before a restorative encounter**

The archetypal form of “classical” theater is characterized by “timelessness” and “universality”, as also biblical stories do. Thus, Greek tragedies can be a “safe encapsulation” to “host” individual conflict cases in order to work on their transformation. In addition, as presented above, “drama”, which literally means “action” in ancient Greek, is a key issue of tragedies. The sociologist Erving Goffman was one of the first authors who adapted the term “dramaturgy” in sociology, establishing, thereby, a connection between micro-sociology (face-to-face social interactions) and theater<sup>108</sup>. How social interactions can be encouraged by modern practices in theater? In fact, current trends in theater<sup>109</sup> can open new ways on how to create “stages” for opening a “dialogue” between people involved in a conflict, or, for simply raise awareness on key-concepts of the restorative philosophy such as “harm”, “identity re-building”, “empathy”, “human interaction”, etc.

Thus, the idea of using the issue data of a Greek tragedy in a different, more improvised way, inspired by current scenic practices might be an important tool for restorative practitioners, especially during the preparation phase before a restorative encounter. In fact, concepts and techniques inspired by modern trends in theater (*infra*) have been explored and used by the author of this article during her volunteer intervention in the Marseille’s prison (Baumettes) during February-May 2018, in the frame of a sociocultural workshop on Greek tragedies, addressed to fifteen female

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<sup>108</sup> Goffman 1959

<sup>109</sup> We prefer here the broader term “scenic practices” rather than the term “theater”, because as scenic practices we can consider every technique for the creation of a “stage”, not necessarily inside a Theater hall, but also in other, “unexpected stages” of everyday life.

adult prisoners<sup>110</sup>. Theatrical activities in prison settings, based on Greek tragedies through current trends in scenic practices, have offered to female prisoners an experience of community, of togetherness, providing them the opportunity to better express themselves (reconnection to one's self) and to better understand each other (reconnection to others). Some of them expressed the need to meet their real victims<sup>111</sup>.

### **2.1.1. The opportunity for a new *ekphrasis* and *praxis* in current scenic practices**

Similarly to the emergence of the restorative movement in the field of Justice, new trends also appeared in Art in general and in the field of Theater in particular, revealing an "aesthetic turning point"<sup>112</sup>. The Avant-garde movement, the Experimental Theater, the Theater of the oppressed, the art of improvisation, etc. inspire and nourish the new scenic practices offering new theatrical experiences<sup>113</sup>.

Current scenic practices in theater allude to a revolutionary metamorphose of the relation between real life and artistic expression, revealing a general "demand" for transformation and for active participation. Therefore, they necessitate and presuppose a radical change of dynamics and, mainly, of the perception of the subjectivity. The classic representative perception of the theater is now replaced by more deliberative forms of theatricality, such as performances, role-playing games, popular entertainments, identity construction games, ritualized processes, improvisations, etc.

Nevertheless, a deliberative, improvised activity does not mean absolute freedom and disorder, because a certain context is always given as a frame (guiding principles). The difference is that the performer is flexible, his/her expression is intensified and he/she can be creative inside the given frame, or can even create a new one. Performers do not serve roles, but they create personas. In addition, it is the spectator's position that is radically questioned as the focus is on the "quality" of his/her presence during the performance; it is not sufficient that he/she is physically present, but also that he/she *has* presence, that he/she is included through active participation<sup>114</sup>.

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<sup>110</sup> Soulou 2020

<sup>111</sup> Ibid, 273

<sup>112</sup> Raulet and Fürnkäs 1988

<sup>113</sup> Lehmann 2002, Schechner 1973, Schechner 1985, Schechner 2002, Schechner and Turner 2001, Turner 1982

<sup>114</sup> Féral and Perrot 2012, 14

## **2.1.2. The potential of Augusto Boal's dramaturgy**

In the 1970's the Brazilian political activist and theater practitioner Augusto Boal, creator of the "Theater of the oppressed" proposed a new way to experience and to change reality through improvisational and participative theater<sup>115</sup>. His dramaturgy offers an opportunity of dialogue and of improvised interaction between audience and performer to analyze conflict situation and to propose solutions by transforming the context and the reality in which they are living. Thus, the purpose is to induce oppressed feelings of people and to invite them to change the situation and to awaken their conscience of society.

Moreover, Boal's famous "Forum Theater", could be seen as the artistic expression/version of a restorative encounter. It is a community-based dramatic model for dialogue, which allows the performers and/or audience members to stop at any point an on-going performance in which there is some kind of oppression inspired by real life and to suggest different actions and solutions to it. Hence, it offers the possibility to explore several alternatives proposed by different people. It is rather a dialectic experience than a didactic one. In fact, every person in the audience can have a dual role; as a spectator and as an actor ("spect-actor"). "Spect-actors" can volunteer to intervene on scene by replacing the protagonist and act out their own performance, thus, to "break the oppression" occurring in front of them, to change the story and to propose solutions. This experience may enable and encourage "spect-actors" to develop skills and actions for changes, to break the "oppressive" situations in their own lives and communities, because Boal's theater is mostly performed by non-professionals drawn from "oppressed" communities.

## **2.2 Raising awareness on restorative justice: A fictive mediation between "Electra" and "Clytemnestra"**

The ideas discussed above gave birth to the short film "Re-storying a Greek tragedy: Electra meets Clytemnestra", fruit of collaboration between the author of this article and Evdokimos Tsolakidis, the director of an Athenian drama school (The Theater of Changes). This short movie, was first projected in the frame of a workshop session entitled "The theatricality of human drama and restorative justice" during the 10<sup>th</sup> international conference of the European Forum for Restorative Justice (Tirana, 14-

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<sup>115</sup> Boal 1979

16 June 2018). In fact, as the general theme of this conference was “Expanding the restorative imagination”, our basic idea for this fictional restorative encounters turned into movies was to “change the rules”; we adopted a more sophisticated approach to tragedy, going beyond the classic script.

The main theme of the tragedy which inspired this film is Electra’s revenge for the death of her father. The central female characters in the play are “Electra”, the daughter of Agamemnon and “Clytemnestra”, the wife and murderer of Agamemnon. Two women, mother and daughter, offender and victim. We considered that this tragedy issue offers a great opportunity to address the feminine point of view on issues such as criminality, suffering, family connections, etc. We put the fictive restorative encounter between the two women in a prison setting, after Clytemnestra’s sentencing.

The facilitator of this fictive encounter sets the scene introducing the case in front of the audience, whose presence in the mediation process is inspired by Boal’s dramaturgy:

*“Ladies and gentlemen, dear citizens, thank you for accepting the invitation to attend this victim-offender mediation in the frame of restorative justice. Your role here today is of vital importance. You represent the civil society and I invite you to take part if you feel to. First, I will tell you a few words about the story and then about the process that we will follow. Clytemnestra Atrides murdered her husband Agamemnon in September 2009 and she is now in prison here in Pedin. Her daughter, Electra Atrides, contacted me about five months ago and asked me to meet her mother. She hasn’t seen her mother since the day that the judge announced his decision in court. After five months of personal preparation with me, she is now ready to take this step. First, I will call Electra and when she feels ready, I will call Clytemnestra. The two women will have the chance to say what they need and then I will give you the floor for your questions. I do hope it will be a fruitful and beneficial debate for everyone. Just to remind you that we are not here today to judge. Judgment has been made, we are already here, in prison. We came here today to understand. Thank you”.*

This movie has been launched by the European Forum for Restorative Justice to celebrate the International Restorative Justice Week 2018 and it is available online<sup>116</sup>. It has been subtitled in English, French and Italian language.

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<sup>116</sup> <https://vimeo.com/300712717>

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