Gang Mediation: Non-Violent Resolution Within a Culture of Violence

by Georgia Jones

This article distills the experiences of four mediators working with juvenile gangs to suggest a nascent theory of gang mediation. Mediations with the gang population seem to be most successful with the following elements: a positive, established relationship between the gang leader and the mediator; an institutional setting; active persuasion of the gang members to come to the mediation table; respect for all participating individuals, and respect for the gang identity.

Although gangs are a nebulously defined social phenomenon that invariably must be studied and addressed at many levels, the potential of mediating micro-level conflicts among youth gangs has been largely ignored. And although informal mediations are likely prevalent, there exists no handbook or guidelines for individuals such as teachers, social workers, or youth workers to inform mediation practice. Orchestrating a successful mediation requires awareness of the forces that prevent gangs from coming to the mediation table, and of the needs and interests that must be met once there. By analyzing the experience of several gang mediators, I identify these forces, needs, and interests and how some mediators address them to achieve non-violent outcomes.[1]

There seem to be two factors necessary to convince gangs to participate in mediation: a positive and established relationship with the potential mediator and a formalized setting, whether that be an institution or a community agency. In order for the mediation to coalesce, the mediator must actively pursue the participants and must claim a stake in a nonviolent resolution. There are two common catalysts of gang conflict: the need to gain personal respect and the need to assert membership in the gang as a form of asserting personal identity. If mediators understand these needs, often the mediation process itself can be structured to fulfill them, thus diverting a violent confrontation.

Relationship with the Mediator

One gang mediator from the New Mexico Center for Dispute Resolution emphasized that, "If we had not had the relationships [with the gang members] built—that was key—we couldn't have gotten them to the table" (Elizalde, Nov. 24, 1998). Another mediator in Chicago said, "The biggest reason why we're so effective is because we have a relationship with the kids…They wouldn't want to sit down to talk if that relationship wasn't there" (Hughes, Nov. 24, 1998). In contrast to mediation with political or business groups, it is almost essential that the mediator have a very personal relationship with gang members in order to suggest mediation as an option.

The importance of a personal relationship lies in gangs' disenfranchisement. Schools, police, politicians, and the media, see gangs as violent, deviant outgrowths that must be stifled. School administrators refuse to recognize gangs as legitimate groups (Elizalde, Nov. 24, 1998). Police routinely stop, question, and search gang youths for no reason other than their gang affiliation (Spergel, 1995). A youth center in a community with gangs went so far as to specifically deny the use of its facilities to gang members because "'they are all just troublemakers'" (Horowitz, 1987, p. 447). This focus on the delinquency of gang members only enhances the rift between mainstream society and gangs.

Gang members acutely feel mainstream institutions' hostility. During one mediation among three gangs, each insisted that the school administration favored the others while disproportionately punishing their own members (Anderson, Nov. 23, 1998). Members complain that police treat them with undue hostility and mistrust (Carstarphen and Shapiro, 1997). This constant bombardment serves only to strengthen gang unity, as members fortify themselves against negative outside opinions and threats (Spergel, 1995; Carstarphen and Shapiro, 1997). With myriad dynamics working to create walls of "hostility, mistrust, misunderstandings and stereotypes" between gangs and outsiders (Carstarphen and Shapiro, 1997, p. 185), any outside interference is suspect.

Mediation is a direct and immediate interference. It is therefore crucial that mediators first prove their trustworthiness. The mediators I spoke with did this in a number of ways. One mediator was a former gang member himself (Hughes, Nov. 24, 1998), and one had "lived a life similar to many of the gang members'"(Elizalde, Nov. 24, 1998). Another specifically kept the school officials out of the mediation, thereby disaffiliating herself from what was perceived as a hostile administration (Elizalde, Nov. 24, 1998). Another offered to

co-facilitate the mediations with a trusted adult of the gang members' choice, thereby building in checks and balances to the mediation process (Michnal, Nov. 25, 1998). Many of the mediators had worked with gang members in different roles, such as social worker or school counselor. These mediators had built positive relationships with youths by advocating for them to the school administration and probation officers (Anderson, Nov. 23, 1998; Elizalde, Nov. 24, 1998), and by devoting additional time and effort, often unpaid, getting to know and understand individual gang members (Elizalde, Nov. 24, 1998). It is virtually impossible to suggest mediation without having established such a trusting, positive relationship beforehand.

Institutional Setting

Most mediations begin with one party seeking outside intervention (Forester, 1994). Because gang culture values violence as opposed to mediation in resolving conflicts, the impetus for mediation must come from outside forces.[2] For most gangs, "fighting is a major and necessary activity…and a means of acquiring respect, admiration, and prestige" (Short and Strodtbeck, 1968, p. 247). The leaders of gangs tend to be those most physically intimidating (Anderson, Nov. 24, 1998), and some gangs will accept new members only if they subject themselves to a group attack by current members (Jankowski, 1991). Violence "serves…the development and maintenance of the 'gang subculture'" (Spergel, 1995, p. 98). It also is integral to protecting the gang from external threats, such as rival gangs or the police (Short and Strodtbeck, 1968). Because violence is often "the only means available" to sustain the viability of the gang (Spergel, 1995, p. 97), it has become institutionalized as a skill and process. Logically, gangs turn to violence, or the threat of violence to solve disputes.[3]

Mainstream culture, however, does not value violence in the same way. Institutions such as schools, the police, and community agencies explicitly discourage it. In virtually all of the mediation cases I studied, there was the threat of punishment by one of these institutions if the conflict ended violently.

The mediators I interviewed understood this threat. In order to induce mediation, they took advantage of kids' physical presence in institutions that would clearly punish fighting. Many mediations took place in schools.[4] One mediator offered a pizza lunch to persuade kids to mediate their conflicts during their normal school lunch hour (Elizalde, Nov. 24, 1998). Another got the permission of teachers to pull kids from their classes in order to attend a mediation (Anderson, Nov. 23, 1998; Michnal, Nov. 25, 1998). It might have been more difficult to gather representatives of feuding gangs in one place outside of the school setting because of lack of transportation as well as question-

able commitment to the mediation process. The school provided a "neutral territory" in which mediation was a possibility (Anderson, Nov. 23, 1998). Although one mediator offered his home phone number to all of the kids he worked with and encouraged them to call if they needed intervention, it was much easier to intervene while they were within the confines of the community center where he worked (Hughes, Nov. 24, 1998). It was a safe, supportive setting apart from the rest of the kids' gang and outside of the gang territory that might be the center of the conflict.

GETTING GANGS TO THE TABLE: MEDIATOR ACTIVISM

Most kids, despite pro-violence gang culture, do not want to fight (Hughes, Nov. 24, 1998; Elizalde, Nov. 24, 1998). If given a choice that allows them to save face and avoid violence, they will take it. Gang influence, however, is strong. If the leaders of these gangs had not approved the mediation program (Anderson, Nov. 23, 1998), invariably it would have been neglected. Choosing mediation is inherently stating that one is willing to try an alternative to violence or, in other words, an alternative to the gang ethic.[5] Directly stating the goal as a nonviolent solution would mean risking alienation from the group, and also would leave gang members without an alternative to mediation if no agreement were reached. They needed to maintain that they were willing to fight, should the need arise. In order to overcome this, the mediators did two things: they actively argued against the kids' alternative to mediation—violence; and they gave kids "excuses" to enter mediation, making it unnecessary for the kids to directly say they were looking for a nonviolent solution.

Some mediators claim that part of activist mediation is "to push [parties] to consider their best alternatives to a negotiated agreement…and the ways of improving [them]" (Forester, 1994, p. 327). In doing this, mediators ask questions, offer different perspectives, and explore both the advantages and disadvantages of opting out of mediation. The intent is not to lead the parties toward or away from mediation, only to help them clarify their options. The gang mediators I spoke with also spent much time exploring the options. There was, however, a consistent focus on what the kids would lose, rather than gain, through fighting. Though mediation was never mandatory (Anderson, Nov. 23, 1998; Hughes, Nov. 24, 1998; Elizalde, Nov. 24, 1998; Michnal, Nov. 25, 1998), the mediators made no attempt to conceal that, in their view, mediation was the superior choice.

In addition to arguing against the kids' best alternative to mediation, the

mediators gave gang members reasons to enter mediation that were not in direct conflict with the gang ethic of toughness. By mediating because of these reasons, gang members could save face and maintain that they would actually prefer to fight, if they were not being "pushed" into mediation.[6]

Mediators use a variety of methods to create these excuses. One called upon her personal relationship with some of the gang members involved. She reminded them of times she had kept them out of jail by advocating for them and asked them to do her a favor by trying mediation instead of turning to violence (Elizalde, Nov. 24, 1998). Another mediator emphasized that mediation was the best option because he "cared about [the gang members]" (Hughes, Nov. 24, 1998). He asserted that he was only looking out for their best interest and took an almost paternal role in addition to mediator (Hughes, Nov. 24, 1998). By framing the push for nonviolence as the mediator's personal mission, gang members can say, if they need to, that it was someone else's idea, not their own.

Institutional rules and incentives also provide an outside push toward mediation. One school program framed the mediation as an attempt to help the gang members "get the most out of their education" (Anderson, Nov. 23, 1998). No doubt this was the goal, however, it was also a way to begin the process of discussing non-violent alternatives to conflict without saying that explicitly. By suggesting mediation as an alternative to probation or jail (Elizalde, Nov. 24, 1998), mediators give kids a legitimate (by gang culture standards) reason to avoid violence. One mediator pointed out that if the kids chose to fight, the police would be involved, which would threaten the gang's drug dealing (Hughes, Nov. 24, 1998). When the outside incentives are already there, mediators need only present the mediation in those terms in order to create a safer space for kids to discuss nonviolence.

WITHIN THE MEDIATION

In some ways, mediation itself is the successful outcome. The goal of every gang mediator is, most simply, to avoid a violent resolution of whatever the conflict may be. The only outcomes that could be considered failures are when gangs do not agree to attempt mediation, or when they decide to fight, regardless of entering the mediation process. For the interviewed mediators, the latter has rarely been the case. Some mediations ended with the conflict "squashed," simply resolved with no further action needed (Hughes, Nov. 24, 1998). Others resulted in "no strike first agreements" where each gang conceded not to start fights, but reserved the right to fight back (Elizalde, Nov. 24, 1998; Anderson, Nov. 23, 1998; Michnal, Nov. 25, 1998). When I asked whether

there had ever been a time when the mediation did not end in some nonviolent agreement, each mediator answered, "No." Why would gang mediation seem to be so successful? In short, "it [is] the mediation process, rather than the product, that [is] most important to the gang members" (Sanchez and Anderson, 1990, p. 55).

To understand why this process can be so effective, one must first understand the roots of many gang conflicts—the need for respect and the importance of the gang identity. Conflicts often stem from the gang members' need for respect and attention. If mediations are conducted to explicitly give these to the gang members, then the mediation itself has fulfilled those needs, and the conflict dissolves. Most gang members strengthen their own gang identity by labeling opposing gang members as the enemy. It is this antagonistic relationship that underlies conflict, not the content of the conflict itself. Mediation is inherently a relational process, and if mediators use this context to redefine relationships, violence becomes a less appealing resolution.

Respect

Virtually all of the disputes mediated by my interviewees involved some show of disrespect. One originated when a gang member was "jumped" by another gang and sought revenge by targeting one of the offending members (Hughes, Nov. 24, 1998). Another involved an interchange of racial slurs (Elizalde, Nov. 24, 1998). Still another began with members of one gang "mad-dogging" members of another, with this insult returned until tensions escalated to dangerous levels (Anderson, Nov. 23, 1998).[7] Any action has the potential to result in conflict if it is interpreted as disrespectful. As Horowitz (1987) explains, "While it may be the intent of the initiator of a challenge to demean the other (requiring an immediate response of violence), …it is also possible that the individual who is insulted may view the actions of the initiator as the result of poor manners and as unintentional" (p. 441). A certain look or gesture could result in injury because it is the *felt* disrespect, not the action itself, that leads to conflict.

The apparently extreme reactions to minor slights are explained by the central importance of respect within gang culture. "The need for recognition, reputation, or status is the common denominator in why individuals, whether or not personally troubled or socially disadvantaged, participate in gangs" (Spergel, 1995, p. 98). Kids gain respect from other gang members and within the gang hierarchy. There are intricate rules as to what actions are disrespectful and what are the appropriate responses (which invariably include some display of toughness) (Horowitz, 1987). The extreme importance of respect is heightened because of the gang's status as an illegitimate group. On the one

hand, gang members use this delinquent reputation as a status symbol within the gang: Who can be the worst, who can commit the most crimes? But on the other hand, society's disdain is keenly felt. For example, "a counselor expelled Jesus, [a gang member], from high school on his sixteenth birthday for extended absences. Jesus called his mother and told her about his situation. The counselor, overhearing the conversation, laughed at him and Jesus punched him. Jesus could have ignored the laugh, defining the counselor as ignorant, but it told him that the counselor had no respect for him" (Horowitz, 1987, p. 447-448). Gang members value the respect of outsiders and are (justifiably) insulted when they infer disrespect.

When mediators understand that the need for respect is often the parties' interest in initiating conflict, there is room to provide this directly through the mediation process. If the mediation is organized through an institution, sometimes the outsider attention is powerful in and of itself. In fact, because these institutions are typically hostile, the attention and acknowledgement implied by recognized mediations within their confines directly contribute to the mediation's success. For example, the administration of Washington Middle School began a series of gang mediations, which most of the student body viewed as special. The mediators provided, "name tags, name plates, folders, pencils, pitchers of water, and cups…in an attempt to create an aura of a serious and important meeting" (Sanchez and Anderson, 1990, p. 55). Violent conflict ceased for the duration of the mediations, before any agreement had been reached (Anderson, Nov. 23, 1998). The respect accorded the gang members simply by being involved in such a grown-up and serious mediation replaced the respect they had had to literally fight for among themselves.[8]

Some gang members indicated that the mediation process was "the first time in their lives that anyone had ever cared about them" (Elizalde, Nov. 24, 1998). In addition to gaining respect from outsiders, the mediation context can be used as an alternate method by which gangs may compete with one another to prove their superiority. One participant described the gang members as "righteous" in their belief that they had been faulted in some way and anxious to prove this at the mediation (Anderson, Nov. 23, 1998). Violence ceased as they had this alternate system for gaining status.

The mediation process can also be used to elicit mutual respect between gangs, even if neither side is forced to admit this. For example, each gang mediator I interviewed created a ground rule of listening respectfully to each participant. In essence, the gang members were forced to show respect to one another because of these involuntarily imposed parameters, rather than offering this respect independently. Despite the outside origin of the respect, the experience of being heard by the opposing gang was powerful. In fact, one

mediation addressing a conflict that had raged for over a year reached a peace agreement in under an hour (Elizalde, Nov. 24, 1998). The mediator simply allowed each gang to tell its side of the story in a safe, neutral environment. This simple act of respect was all that was needed.

Gang Identity

Mediators must also understand the nature of the relationship between opposing gang members. Gang identity is intensely important. Gangs are often "the only 'game' in town for youths to achieve some form of social identity" (Spergel, 1995, p. 100). Gangs are seen as "family" (Elizalde, Nov. 24, 1998), and members are proud to display their affiliation (Anderson, Nov. 23, 1998). Because the gang identity is so primary to members' sense of self, declaring their gang as the best, the fiercest, the most successful is personally reinforcing. "In the process of developing a distinctive social identity, gang members…seek out and initiate challenges to an [opposing gang member's] honor as one way of publicly asserting their claim to precedence and enhancing their reputation" (Horowitz, 1987, p. 441). Challenges to opposing gang members are initiated purely because the target is of a rival gang. Conflicts originate because members of opposing gangs relate to one another in this way—as symbols of the enemy, rather than as individuals.

The mediators I interviewed were familiar with this phenomenon. In one school, kids consistently jumped and attacked members of an opposing gang. They described these fights as against the "Juaritos" (an opposing gang), rather than against "Jose" or "Mauricio"(Elizalde, Nov. 24, 1998). In a different case where two gangs were exchanging racial slurs, the mediator asked one group to identify which kids were involved in the conflict so as to invite them to the mediation. They responded, "They all look alike," revealing that the conflict was against the group as a whole, rather than any one individual (Elizalde, Nov. 24, 1998).

Many mediators work from the assumption that if the kids could simply get to know one another outside of their gang identity, conflicts between at least those two kids would cease (Hughes, Nov. 24, 1998). Mediators use specific techniques to enhance this effect. One ordered pizza for the entire group before the mediations actually began. As she described it, "asking someone to pass you a napkin makes it a little more difficult later on to hate that person" (Elizalde, Nov. 24, 1998). During a gang summit, facilitators used workshops composed of youth from a variety of gangs to emphasize the similarities among all gang members. Each member told about her experiences, and at the end of the workshop, participants were more likely to sit with and talk to one another

socially than they had been prior to sharing stories (Dudley, Dec. 4, 1998). Another mediator emphasized that separating individual gang members from their respective gangs and addressing conflict one-on-one was effective (Hughes, Nov. 24, 1998). The mediator would then play up the kids' similarities, to make them see that they were "two peas in the same pod" (Hughes, Nov. 24, 1998). He focused on their common goals (playing basketball), their common background (from the same neighborhood), and their common predicament (fighting over drug turf that neither one of them was profiting from) (Hughes, Nov. 24, 1998). By personalizing gang members, the hostility originating solely from their different gang identities became much less potent.

This familiarity with the opponent actually prevents future conflicts in and of itself, and this is an important difference between gang mediation and mediations with many other groups. The underlying catalysts of gang conflict are often the need to gain respect and the identification of opposing gang members solely as the enemy. Once mediators understand this, the impact of relationship building and respect within the mediation process itself is huge. Although there are obviously no guarantees of a peaceful agreement, simply getting gang members to the mediating table is a prodigious step.

CONCLUSION

Although gangs are complex and difficult to study, even basic understanding of some common elements can enhance the potential of mediation as an alternative to violence. Gangs are disenfranchised groups and are thus suspicious of outside intervention into their affairs. Intervention often implies punishment or infiltration with the intent to disband the gang. Mediators, as outsiders, must therefore prove their trustworthiness before even suggesting mediation. In addition, mediation within an institution and with external incentives is more likely to happen than if a mediator simply walked into gang turf and offered to solve the gang's problem.

Gang culture has an inherent aversion to mediation in that violence is valued. Nonviolent alternatives are counter to this culture, and those who seek alternatives risk alienation from the group. Many gang members, however, do want alternatives and thus appreciate when mediators take an active role in initiating mediation. Mediators do this specifically by arguing against the violent alternatives and offering gang members legitimate excuses to try mediation.

Once they convince gang members to enter the process, mediators must understand the intense need for respect and loyalty to the gang identity. By showing respect through the mediation process and by creating opportunities for gang members to get to know one another outside the gang context, a non-

violent solution is much more likely.

With these factors in mind, gang mediation programs must continue to be centered in institutions such as schools and community centers. Mediation skills must also be taught to those who work with gang members in other contexts, such as social workers, counselors, teachers, and community members. If the needs of gang members and the functions of the gang were better understood, mediation could be used to successfully replace violent confrontation in many cases. ■

FOOTNOTES

[1] Although this outline is based on in-depth interviews with only a few mediators and is not intended to suggest a theory of gang mediation, it may serve to enhance the knowledge base from which theory is born.

[2] Outside forces are, of course, not the only reason gangs consent to mediation. I am not saying that gang members are personally opposed to mediation (I will address this further in the article). However, it would be difficult to attempt mediation *solely* within the context of the gangs themselves, because this would directly conflict with the positive valuation of violence.

[3] It is important to note that many gang conflicts do not end in violence. Violence remains, however, a first inclination to any threatening or uncomfortable situation, and it is the gang culture's validation of this response that is important to this discussion.

[4] Despite schools' hostility toward gangs, many mediators had professional connections with school administrations which they exploited to obtain permission to mediate. Though this permission was in many cases hesitant and not without reservations and restrictions, schools were sometimes willing to host mediations in the hope of reducing violence.

[5] It is important to note that the gangs in one area were not averse to mediation but instead occasionally sought mediation directly (Hughes, Nov. 24, 1998). It is equally important to note that it was the *leaders* of these particular gangs who approved of and sought mediation, specifically to avoid police intervention if a fight were to ensue. The power of the gang culture over individual members was still very much present, and had the leaders decided that mediation was an undesirable option, individual members would most likely cease using it.

[6] Most likely, they are retaining the option of fighting, rather than this being pure rhetoric. Not one mediator I interviewed, however, had ever mediated where the gangs then decided *to* fight. This leads me to believe that keeping the alternative to fight is more a psychological buffer than a preferable option.

[7] Staring menacingly.

[8] Interestingly, many school administrators view gang mediation with disdain because they recognize that in some way, setting up special meetings during school hours and with school resources implies recognition of gangs as viable groups (Anderson, Nov. 23, 1998; Elizalde, Nov. 24, 1998). It is this form of respect that administrators wish to withhold. It is also this form of respect that can reduce violence especially among middle school-aged gang members.

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