

From suffering to restoration: Toward a Justice that promotes healing



Restorative Justice Week 2017
November 19-26



Piazza Fontana Bombing
Milano -12 December 1969
Victims: 17
Injured persons: 88
Judgement: no definitive judgment

"Victims of terrorist attacks feel abandoned. (...)

We hope not to have to go on pursuing battles like this, because the missed recognition of the rights of victims of terrorist attacks, including those who have not suffered physical pain but still bear the marks of those years, is a great defeat for democracy".

[Roberto Antonucci Prina – cashier at Banca Nazionale dell'Agricoltura, refunded after 42 years]

Loneliness → Recognition

Victims primarily need to be recognized.

Restorative Justice, through **storytelling**, allows victims to recount the experience of victimization from their own point of view. **Storytelling** supports the offender in the acknowledgement of the responsibility for the crime; it supports the victim in being able to see the offender not as an enemy but as a person.



Bologna massacre – 2 August 1980
Victims: 85
Injured persons: 200
Judgement: 2 life sentences and a 30-year sentence

*"I lost my colleagues (...) After that blast everything changed (...) And I began to feel guilty. I kept asking myself: "Why them and not me?" (...) Many years have gone by, but there's a suffering which doesn't pass. Mostly a psychological suffering. But I get angry when I see injustices in life. Do you know that I haven't been declared legally disabled? They tell me: "You have a husband. A son. You lead a normal life". But shouldn't it matter also what's happening *inside* me?"*

[Marina Gamberini: employee at central station, survivor]

Suffering → Empathy

Empathy is the ability to understand and identify oneself with another person. In victim-offender mediation an essential role is played by the **"Heartfelt"**: the perception of the parties' experienced emotions. The mediator acts like a "mirror": through the **"Heartfelt"** he identifies feelings and emotions which are not verbally expressed by the parties and puts them into words without taking anybody's side.



Capaci Bombing – 23 May 1992
Victims: 5
Injured persons: 23
Judgement: still underway

*"No, I was wrong. That one wasn't the worst day of my life. Being alive has been even worse. Almost a misfortune, a condemnation. Because after one year of medical examinations and hospitals, I **was useless at my workplace**".*

[Giuseppe Costanza, driver of Giovanni Falcone, survivor]

Sense of Guilt → Trust

*"The survivor lives in a world based on a special theory of relativity. Time of destruction is always now, everything else is "after". The "after" will never be the same. A world governed by the unusual logic of nightmares – *it happened, so it will happen again* – or of sense of guilt – *I could have prevented it, I could have saved you, I could have...*"*

(Benedetta Tobagi, "Una Stella incoronata di buio. Storia di una strage impunita")

Victims' sense of guilt has its roots in the past. Suffering is something that settles and lasts forever. Restorative justice handles the suffering and the sense of guilt, connecting the past to the possibility of the future. In the liveliness of trust, memory will open to hope.

THE “PIAZZA DELLA LOGGIA BOMBING” (BRESCIA – ITALY): TRIALS AND RESTORATIVE JUSTICE PATHS



Piazza della Loggia Bombing
Brescia, 28 May 1974
Victims: 8
Injured: 102
Judgement: 2 life sentences



*“...Maybe
a star is still
shining.
Nothing,
nothing is lost”.*

[Paul Celan]

On 28 May 1974, at 10.12 am, a bomb hidden in a trash bin explodes in Piazza della Loggia, in the heart of Brescia, killing eight people.

On 20 June 2017, after 43 years and eleven trials, two members of an extra-parliamentary movement known as Ordine Nuovo, Carlo Maria Maggi and Maurizio Tramonte, were found guilty.

Mr. Manlio Milani lost his wife, Mrs. Livia Bottardi, in the massacre. From the very first trials, he expresses his thoughts:

“I have deeply changed since the beginning. I would have laid my hand on someone, at that time!”

“The burden of being alive is that it is gift and guilt at the same time”.

*“In the massacre, **the human dimension is totally abandoned**, lost, and this needs to be taken into account: if we want to explain to new generations what losing someone means, we must reconstruct the events and show them that the protagonists were flesh and blood people, with their goals, their projects, their hopes, and I never manage to do this”.*

*“Only if we contextualise that event and deeply understand the reasons behind it, and thus take on our shoulders the suffering of other persons, only then can the victim experience the closure (...) To make it clear, **understanding does not mean justifying**”.*

*“The process of **victims’ ‘liberation’** essentially needs sharing victims’ stories with the offender’s story. Only in this way, the society can understand that those events took place in a precise political and historical context. I believe that here lies the real process of victims’ ‘liberation’, which leads to a liberation process of the guilty party as well”.*

Manlio Milani has committed himself to act in accordance with restorative justice principles, despite the long-lasting silence of institutions, which seem to barely understand the aim of restorative justice. In 2000, he founded the “Casa della Memoria” association, an informative centre on the Brescia bombing and terrorist violence, neo-fascist in particular.

In the light of restorative justice, together with other relatives of terrorism victims and with people formerly belonging to armed fighting he attends victim empathy groups: groups promoting dialogue based on recognition of individual responsibilities and on active and empathic listening that can rebuild relationships previously broken by violence.

Manlio Milani “was able to emerge from the static swamp of grief, leaving underwater only the surplus of the senseless load deriving from the sense of guilt”.

[Benedetta Tobagi]

In 2007 the legislator promotes the recourse to restorative justice through the enabling act 103/2017, which, at art. 85, letter f), advises the delegate legislator to conceive restorative justice programs as qualified moments of the social rehabilitation path, whether in prison or during the execution of alternative measures.