

# ***THE NONJUSTICE SYSTEM***

WELCOME TO THE NONJUSTICE SYSTEM.

## Introduction

When people are hurt, mistreated, or neglected, or when somebody they care about is hurt, mistreated, or neglected, they may want to punish or seek revenge against the wrongdoer. For some people, or at some times, this desire to punish can become overwhelming, so that it interferes with other thoughts and activities or even leads to harmful behavior. The Nonjustice System was developed to try to help victims of wrongdoing who have overwhelming or powerful feelings of revenge to cope with or gain relief from them.

In the Nonjustice System, an injured person who is experiencing a powerful desire for revenge against a wrongdoer is given the opportunity to role play the case against the wrongdoer through each of the steps of a criminal proceeding, including:

1. The Indictment
2. The Plea
3. The Prosecution's Case
4. The Defense's Case
5. The Verdict
6. The Sentence
7. The Appeal
8. The Punishment

Unlike the traditional justice system, in the Nonjustice System the injured person gets to play *all* of the roles in a criminal proceeding, including the prosecutor, defendant, defense lawyer, jury, judge, appellate court, and even administrator punishments. Also unlike the traditional justice system, there is an additional ninth step called "The Final Judgment."

You have just completed reading about what Billy did to you and your dog, Harley. As the person who has been harmed by Billy, you will now be asked to conduct the prosecution of Billy in the Nonjustice System. To do this, in each step you will be asked to play a new role and respond to a series of questions.

When you are ready, let's begin...

## **STEP ONE**

### **THE INDICTMENT**

*Imagine that you are in a courtroom. (You can close your eyes if you like.) Take note of the judge's bench and the witness stand; the jury box and the lawyers' tables; the viewing gallery and the courtroom doors. Observe all of the sights, sounds, and smells.*

*Now imagine that you are the **PROSECUTOR** in the case against Billy. The courtroom has been brought to order. Your first job as prosecutor is to charge Billy with the wrongs, offenses, mistreatments, and neglects he has committed. Imagine that Billy is seated at the defense table with his lawyer. You are standing, ready to address the court:*

- a. Look at Billy and repeat the following out loud:  
“As the prosecutor in the Nonjustice System, I charge Billy with committing the following crimes, wrongs and offenses: \_\_\_\_\_ [Note that these do NOT have to include only what might be considered formal criminal charges in a court but can include, in your own words, any and all of the wrongs that you believe Billy committed against you and Harley.]
- b. What are you thinking and feeling as you play the role of the Prosecutor in the case against Billy?
- c. Now imagine yourself as the victim listening to the Prosecutor stating the charges against Billy. What are you thinking and feeling as you hear the charges being read aloud in court?

*Proceed to Step 2 (The Plea).*

## **STEP TWO**

### **THE PLEA**

*You are no longer the Prosecutor. Imagine now that you are **BILLY**. (You can close your eyes if you like.) Imagine sitting at the defense table. You have just heard the prosecutor state the charges against you in open court.*

- a. As Billy, what are you thinking and feeling as you hear the charges being read against you?
  - i. Are you denying the charges? Are you thinking that you are innocent?
  - ii. Are you thinking that you have an excuse? Are you thinking that there must be some misunderstanding?
  - iii. Are you thinking that you are the victim here?
  - iv. Are you thinking of a defense or ways to avoid punishment?
  - v. Are you feeling sad, happy, ashamed, proud, remorseful, resentful, bored, numb?
  - vi. Anything else?

*As Billy, you must now enter your plea of “guilty” or “not guilty” to the charge(s). Imagine that you rise to address the court:*

- b. Do you plead GUILTY or NOT GUILTY?

*Now imagine yourself as the victim who is listening to Billy.*

- c. What are you thinking and feeling as you hear Billy plead guilty or not guilty?

*Proceed to Step 3 (The Prosecution’s Case). Note: Even if the defendant(s) admit(s) guilt at this step, the case in the Nonjustice System continues through all 9 steps.*

### ***STEP THREE***

#### **THE PROSECUTION'S CASE**

*You are no longer Billy. Imagine now that you are **THE VICTIM** and that the trial is about to start. (You can close your eyes if you like.) Imagine that the prosecutor calls you as the first witness. You take your place on the witness stand and the court clerk asks you to raise your right hand and places you under oath. You can see the judge, Billy, his lawyer, and the people in the gallery.*

*The prosecutor approaches and begins asking you the following questions:*

- a. As the victim, in your own words please tell the court in detail exactly what happened.
  - i. What did Billy do to you and Harley? (i.e., what specific wrongs, offenses, mistreatments, and neglects did Billy commit?)
- b. What specific injuries did you (and Harley) suffer as a result of Billy's actions or inactions (include physical, mental, and emotional injuries and economic injuries)?
- c. Since the events in question, have you spent much time thinking about what Billy did? Please describe how much time and what this has been like for you.
- d. Since the events in question, have you thought about or imagined punishing Billy or making him pay for what he did? Please describe what/how.
- e. Since the events in question, have you thought about trying to reconcile or make peace with Billy? Please describe what you did and how Billy responded?
- f. Since the events in question, have you tried to avoid Billy? Please describe what you did and how Billy responded?
- g. Have the events in question changed your life in any way? If so, please describe how?

*Proceed to Step 4 (The Defense's Case)*

## **STEP FOUR**

### **THE DEFENSE'S CASE**

*You are no longer the victim. Imagine now that you are (again) **BILLY**. (You can close your eyes if you like.) You have just heard the testimony of the victim against you. Imagine that the prosecution has rested its case and that your lawyer now calls you to the witness stand. The court clerk asks you to raise your right hand and places you under oath. You see the judge, the prosecutor, the victim, and the people in the gallery.*

*Your lawyer approaches and begins asking you the following questions:*

- a. As Billy, in your own words please tell the court in detail exactly what happened.
  - i. Did you do anything to harm the victim or Harley?
  - ii. If you harmed them, was it intentional? Was it an accident?
  - iii. Is the victim or Harley in any way responsible for what happened?
  - iv. Are there any other explanations for what happened?
  - v. How do you feel about what happened? Do you feel remorse?
  - vi. Have you been hurt by what happened? If so, how?
- b. Since the events in question, have you spent much time thinking about what happened? Please describe how much time and what this has been like for you.
- c. Since the events in question, have you thought about or imagined punishing the victim or making him or her pay for what happened? Please describe what/how.
- d. Since the events in question, have you apologized to the victim or done anything to try to reconcile with or make amends or peace with the victim? If so, what? How was this received?
- e. Have the events in question changed your life? If so, how?

*Now imagine yourself as the victim listening to Billy's testimony.*

- f. What have you been thinking and feeling about Billy's testimony?
- g. Has your view of what happened or Billy changed? If so, how?

*Proceed to Step 5 (The Verdict)*

## ***STEP FIVE***

### **THE VERDICT**

*You are no longer Billy. Imagine now that the trial has ended and you are a **JUROR in the jury room deciding on the verdict.** (You can close your eyes if you like.)*

- a. What are the strongest arguments for finding Billy guilty?
- b. What are the strongest arguments for finding Billy not guilty?
- c. Are the facts clear, or are there doubts or ambiguities?
- d. Are there any other circumstances to consider?
- e. As a Juror, what are you thinking and feeling as you consider Billy's guilt or innocence?

*Imagine now that you are back in the courtroom. The time has come for you as a Juror to render your verdict. The judge has asked Billy to rise and face you.*

- d. Do you find Billy guilty or not guilty?
- e. How does it feel to sit in judgment of another person?

*Now imagine yourself as the victim listening to verdict.*

- f. How does it feel to hear the verdict spoken aloud in court?
- g. Has your view of what happened, Billy or yourself changed?

*Proceed to Step 6 (The Sentence)*

## **STEP SIX**

### **THE SENTENCE**

*You are no longer the Juror. Imagine now that you are the **JUDGE**. (You can close your eyes if you like.) The jury has just found Billy guilty. Your role as the Judge is to sentence Billy to be punished.*

- a. What is the maximum (harshes) punishment you believe that Billy should receive and why? **Note: The punishments can be anything you choose, even punishments that would be unusual or not be acceptable in a court of law.**
- b. What is the minimum (lightest) possible sentence you believe that Billy should receive and why? **Note: The punishments can be anything you choose, even punishments that would be unusual or not be acceptable in a court of law.**
- c. What factors are most important to you in selecting an appropriate punishment?
- d. What do you want to accomplish with a punishment?
- e. What are you thinking about and feeling as you decide on a punishment?

*Imagine now that you ask Billy to rise and face you as the Judge.*

- f. What is your sentence? Be as specific as possible. **Note: The punishments can be anything you choose, even punishments that would unusual or not be acceptable in a court of law.**
- g. How does it feel to sentence somebody to be punished?

*Imagine now that you are the victim hearing Billy being sentenced by the Judge.*

- h. How does it feel to hear Billy being sentenced?
- i. Has your view of the case, yourself or Billy changed?

Proceed to Step 7 (The Appeal).

## **STEP SEVEN**

### **THE APPEAL**

*You are no longer the trial court Judge. Imagine now that you are an **Appellate Court Judge**. (You can close your eyes if you like.) Billy has filed an appeal, asking that the verdict and sentence be reviewed one last time before any punishment is administered.*

- a. What factors are most important to you in reviewing the case?
- b. What are you thinking about and feeling as you review the case?
- c. Is the verdict (guilty or not guilty) correct? Should it be overturned?
- d. Is the sentence appropriate for the wrongs committed? Should it be modified?

*Imagine now that you are the victim listening to the Appellate Court's decision.*

- e. How does it feel to hear the appellate court's decision?
- f. Has your view of the case, yourself or Billy changed?

*Proceed to Step 8 (The Punishment).*

## **STEP EIGHT**

### **THE PUNISHMENT**

*You are no longer the Appellate Court Judge. Imagine now that you are the **Administrator of Punishments**. (You can close your eyes if you like.) As the Administrator of Punishments, it is your role to impose the Sentence upon Billy and to make certain that it is carried out in every detail.*

*Imagine that you are punishing Billy.*

- a. Where are you? What does it look and smell like? What are the sounds?
- b. Other than Billy and you, is anyone else present? Who? What are they doing?
- c. What are you doing? What are you saying? What are you thinking? Feeling?
- d. What is Billy doing? What is he saying? What is he thinking? Feeling?
- e. If others are present, what are they saying, thinking, feeling?
- f. What is it like for you to punish Billy?
- g. Is punishing Billy in any way hurting you too? Benefitting you? How?
- h. What happens when the punishment ends? What do you do? What does Billy do? What do others do?

*Imagine now that you are the victim.*

- i. As the victim, what is it like for you to see and know that Billy is being punished?
- j. Is seeing Billy being punished in any way hurting you too? Benefitting you? How?

*Proceed to Step 9 (The Final Judgment).*

## **STEP NINE**

### **THE FINAL JUDGMENT**

*You are no longer the Administrator of Punishments. **You are just you again, the Victim who was harmed by Billy.** Billy's trial is over and his sentence has been carried out.*

*Imagine now that you are in a special courtroom that is much larger and grander than the courtroom where Billy was just tried. (You can close your eyes if you like.) There is nothing in this courtroom other than a great judge's bench and, in front of it, a single chair.*

*Imagine that this courtroom is where the **FINAL JUDGMENT** of a person's life takes place. Imagine that the Judge who presides in this courtroom has great wisdom and sees and knows all things.*

*Imagine further that you (as the victim) **are the PERSON WHOSE LIFE IS BEING JUDGED.** You are sitting on the chair in front of the Judge's bench. You cannot see the Judge, who is sitting high above you, but you can hear the Judge's voice. The Judge begins asking you the following questions:*

- a. Do any of the wrongs, injustices or painful things that happened to you in the past exist here today in the present?
  - i. Can you see or experience them with the senses of your body?
  - ii. Can other people see or experience them?
- b. Do any of your grudges, grievances or resentments against the people who hurt you exist anywhere outside of your own mind?
  - i. Can you see or experience them with your senses?
  - ii. Can other people see or experience them?
- c. Does the desire for justice or revenge exist anywhere outside of your mind?
  - i. Can you see or experience it with your senses?
  - ii. Can other people see or experience it?
- d. Is there any person, entity or power outside of your mind that demands or requires you to seek justice or revenge against those who have hurt or wronged you?
  - i. If so, who or what is this person, entity or force?
  - ii. What would happen if you disobeyed it or them?
- e. Did prosecuting and punishing Billy cause you to re-live and re-experience what he had done to you and Harley and to be victimized all over again?
  - i. Was this painful or pleasant for you?
  - ii. Did this cause your grudges, grievances and resentments against Billy to lessen or grow?
  - iii. Did it cause your desire for justice and revenge to lessen or grow?

- f. Did you have any options other than prosecuting and punishing Billy?
  - i. Could you have chosen to forgive him?
  - ii. Even if you could not forgive him, could you have simply done nothing at all?
  
- g. If you had forgiven Billy or done nothing at all, how would you feel?
  - i. Could you have avoided re-living and re-experiencing what he had done to you and Harley?
  - ii. What would have happened to your grudges, grievances and resentments against him?
  - iii. What would have happened to your desire for justice or revenge?
  - iv. Would you be more or less peaceful and happy?

*Imagine now that you (as yourself, no longer as the victim of Billy) are **THE JUDGE AT THE FINAL JUDGMENT OF YOUR LIFE**. Imagine that you are sitting on the Judge's bench looking down at yourself. Imagine that you have great wisdom and know all things*

- h. What is your Final Judgment about yourself?
  - i. Do you choose to continue to seek justice and revenge against those who have wronged you in the past?
  - ii. Or do you choose another path to resolving your grudges, grievances and resentments?

*The Nonjustice System is now over. Thank you for participating in the study. But before you go...*

- i. How are you doing?
- j. How do you feel?

END