# HOW TO FOSTER EMPATHY IN CONTEXTS OF CRIMINAL VIOLENCE? A PRACTICAL EXPERIENCE FROM MEXICO

## WORKSHOP FOR VICTIMS, RELATIVES AND ACTIVISTS WORKSHOP FOR PUBLIC OFFICIALS RESPONSIBLE OF DEFENDING VICTIMS

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## INTRODUCTION AND BACKGROUND

At the beginning of 2017, Amnesty International documented that, 10 years after the beginning of the 'war on drugs and organized crime' in Mexico, impunity for human rights violations and crimes under international law has persisted in the form of torture and other ill-treatment, forced disappearances, extrajudicial executions and arbitrary detentions (*Amnesty International*, 2017: 250). In general, the *Mexico 2016-2017* report on human rights decries a patent increase in violence:

- 36,056 homicides registered by the authorities up until November 2016 (the highest number since the beginning of the presidency of Peña Nieto in 2012);
- 4,715 torture and other ill-treatment investigation files under revision at the federal level, according to the Special Unit on Torture of the Office of the Federal Attorney General;
- 29,917 people were reported as missing by the government by the end of 2016;
- In addition, for the third consecutive year, the authorities failed to publish the number of people killed or wounded in clashes with the police and military forces.

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Several human rights defenders in Mexico have emphatically stated the importance of fostering empathy between victims and authorities as an initial step to design and implement measures that progressively halt the steep increase in criminal violence.

In 2011, for example, in the northern state of Nuevo León, Consuelo Morales (*Sister Consuelo*) managed to sit down at the same table the relatives of victims of forced disappearances and the State General Attorney. The result of this reunion was a series of commitments from the General Attorney to address, specifically, the cases of forced disappearances, in particular, with the implementation of the *Immediate Search Protocol* in the state (Protocolo de Búsqueda Inmediata) (Martínez, 2016).

Another example is the submission to the Senate, in 2012, of the *General Act for the Attention and Protection of Victims* (Ley General de Atención y Protección de Derechos de las Víctimas or Ley Sicilia) as a result of the meetings between social organizations and the federal government. In this case, Javier Sicilia, the head of the *Movement for Peace with Justice and Dignity,* together with other social organizations and representatives of victims from several states, worked on several occasions with President Calderón (2006-2012) and other members of his team to discuss the strategy of the government on criminal violence (Azaola, 2012).

The *Seminar of Violence and Peace of El Colegio de México,* under the leadership of Professor Sergio Aguayo, was created in 2013 with the purpose of understanding the widespread environment of violence in Mexico and the possibilities of peace. The *Seminar* brings together academics, activists, government officials and members of the civil society in a forum to understand and analyze the roots of violence as well as to foster a culture of peace. Up to now, the *Seminar* has organized 31 sessions in which a myriad of topics has been discussed, for example: "Fast and Furious weapons. Lawsuit against the Mexican government", "The human rights crisis in México: What can be done by the international community?", "Ayotzinapa and the Interdisciplinary Group of Independent Experts (GIEI). Balance and lessons".

In addition, the Seminar for Violence and Peace, in collaboration with the National Commission of Human Rights (CNDH), the Office of the General Attorney (PGR) and the Executive Commission for the Care of Victims (CEAV), has organized a broad array of activities such as workshops, special investigations, and other activities for generating and spreading knowledge.

Under the auspices of the National Commission of Human Rights, at the end of 2015, the *Seminar* decided to organize a series of workshops to foster empathy between all the actors affected by criminal violence: direct victims, family members, activists and public officials responsible of protecting victims.

For the design and implementation of the workshops, we adopted a simple definition of empathy: "putting oneself in the place of another" or "imaginatively projecting oneself into the situation of another" (Allport 1937; Buchheimer 1963; Demos 1984; Goldie 1999; Smith 1989). In addition, we also consider that "[...] empathy is the spark of human concern for others, the glue that makes social life possible". (Hoffman, 2000).

This report is organized in four sections. The first section presents a succinct review of the literature on the importance of fostering empathy in the context of criminal violence. The next section is the core of the report and presents the basic framework (objectives, profile of the participants, activities, and evaluation) of the workshops for victims of criminal violence and their defenders, both social and public. The third part discusses the most important results of the workshops and presents an agenda for improvements as we plan for new workshops. Finally, the fourth section concludes.

## WHY FOSTER EMPATHY IN THE AFTERMATH OF CRIMINAL VIOLENCE?

The workshops of the *Seminar of Violence and Peace* are part of an effort to understand the causes of criminal violence in Mexico and to develop a "peace culture" that can foster new forms of conflict resolution and human understanding. Within this framework, one of the workshops' main guiding principles is that fostering empathy as the ability to accurately understand another´s affective, cognitive, behavioral, and interactive experience, is an important means for peacebuilding and reparation and is necessary to develop a working alliance among government, civil society organizations (including human rights), and victims.

Indeed, research has documented the key role that empathy plays in enhancing prosocial behavior and various measures of social competence (Eisenberg *et al*., 2006; Graziano *et al*., 2007; Komorosky & O'Neal, 2015; Sallquist *et al*., 2009; Sebanc, 2003; Spinrad & Eisenberg, 2009), and several studies ranging from psychology, to public health, public policy, and criminology, have documented a negative relationship between empathy levels and aggression rates (Batanova & Loukas, 2011; Carrasco *et al*., 2006; Chaux *et al*., 2009; Endresen & Olweus, 2001; Hastings *et al*., 2000; Jagers *et al*., 2007; Jolliffe & Farrington, 2011; LeSure-Lester, 2000; Mehrabian, 1997; Miller & Eisenberg, 1988; Pithers, 1999; Thompson & Gullone, 2003; Wang *et al*., 2012). Empathy skills also help in removing stereotypes and lowering prejudice (Beyond Conflict, El-Hibri Foundation, and Alliance for Peacebuilding, 2015).

With the escalation of criminal violence in Mexico over the last decade, however, we have witnessed that empathy among the various sectors in society affected by this violence is lacking or extremely rare as we illustrated in the introduction. In particular, victims and victims' advocates on the one hand, and government institutions that serve them, on the other, see each other with reticence, at best. Several factors contribute to this animosity. In Mexico, there is a generalized feeling of mistrust, resentment, and disapproval towards the criminal justice system from the organizations and individuals that interact within it. Frequently, the design and implementation of public policies does not take into account crime victims' and vulnerable populations' perspective regarding the justice process, and many victims remain outside the justice system.[1] Victims, on the other hand, may not always be aware of the complex institutional and legal context that many victim service providers and institutions face, including lack of resources, poor service protocols, and scarce training on crisis management, conflict resolution, and resilience skills, among others.

The workshops' goal is to contribute to, on one hand, the professionalization of victim service providers through the knowledge and reflection of their work and, on the other, to the development of empathic abilities both of victims' service providers and of the victims themselves in order to enhance their interpersonal relationships within and outside the institutions and organizations in which they interact. These abilities are important for victims to exercise their rights and defend their cases effectively, and for victims' service providers to care for them in a more comprehensive manner.

Several studies have shown that empathic relationships between victims and their service providers is crucial for both groups. From the perspective of victims, evidence suggests that their feelings of shame, fear of being judged, the perception of revictimization risk, and the view that support services are not able to help are crucial determinants of the likelihood of engagement with support services (Bricknell *et al.*, 2014; Bryce *et al.*, 2016; Farrell *et al.*, 1995; Jaycox *et al.*, 2004; Lowe *et al.*, 2016; Sims *et al.*, 2005). Moreover, the reactions that victims face when offering statements affect law enforcement reporting rates (Hayes *et al.*, 2013; Suarez & Gadalla, 2010). Other research has shown that victims often perceive a lack of specialized training in interviewing skills by service providers (Kinney *et al.*, 2007), which, in turn, may also affect reporting rates and the ability to deal with the negative consequences of

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1 These issues are not unique to Mexico. For example, some studies have found that disapproval and hostility towards the criminal justice system is also a prevalent phenomenon in the United States (Achilles & Zehr, 2001; Zehr, 2005). Similarly, the fact that justice systems do not always consider victims' perspectives on their own assistance needs, protection, and empowerment, has also been discovered in several studies in the United States (Choi *et al.*, 2010; OJJDP, 1998; Zehr, 2005).

victimization (Martin *et al*., 2007). Empathy can also foster trust, which has been found to be crucial to facilitate assistance provided to victims (Bryce *et al*., 2016).

Several other studies have emphasized the importance of quality interactions between victims and service providers (Campbell, 2005; Havig, 2008; Martsolf *et al*., 2010; McGregor *et al*., 2006), as well as the importance of professional competence when dealing with victims (Campbell *et al*., 2001; Martsolf *et al*., 2010; McGregor *et al*., 2006). Not surprisingly, restorative justice processes that emphasize interpersonal relationships and problem-solving dialogue (i.e., empathy) have become increasingly popular across many countries and settings (Choi *et al.*, 2013).

From the perspective of victim services' providers, a number of papers have documented the prevalence of burnout, secondary traumatic stress (STS), vicarious trauma, and compassion fatigue (Salston & Figley, 2003; Wagaman *et al*., 2015; Wies & Coy, 2013), and research has found that empathy training lowers significantly the occurrence of these problems (Wagaman *et al*., 2015) and is thus crucial for increasing the work satisfaction levels of service providers. In addition, there is strong evidence showing that numerous service providers, such as trauma therapists, have experienced some type of distressing event, and are effectively victims themselves (Figley, 1995; Pearlman & Saakvitne, 1995). To sum up, research suggests that fostering empathy skills among both victims of crime and their service providers is likely to aid both groups in dealing with the problems we have described.

Although there is still some discussion regarding the definition and biological origin of empathy and, therefore, on the same possibility of fostering it, there have been several studies that have implemented training with successful outcomes for increased levels of empathy (Acton & During, 1992; Clevenger *et al*., 2016; Jagers *et al*., 2007; Pithers, 1999). Moreover, research has shown that empathy is a skill that can be developed beyond childhood (Clevenger *et al*., 2016; Grühn *et al*., 2008; Komorosky & O'Neal, 2015; Wagaman *et al*., 2015), and even in contexts of widespread conflict (Schoenfeld *et al*., 2014). The World Health Organization has also used life skills education to foster, among other abilities, conflict management and empathy to prevent violence from occurring (WHO, 1998, 2009). In short, the literature suggests that empathy is a skill that can be learned and improved, thus supporting the workshops' premise of helping participants develop the knowledge, skills, and mechanisms needed for empathic interactions.

## DESIGN AND IMPLEMENTATION
## OF THE WORKSHOPS

The main purpose of the workshops was to promote empathy, mutual understanding with emphasis on the following questions: How do government officials tend to the legal, psychological and practical needs of victims and their relatives? Do victims realize that government agents are themselves constrained by severe legal and administrative frameworks, as well as scant resources? Is it possible to improve the communication between these two groups as to foster alliances allowing them to devise and implement joint solutions?

In the workshops, we attempted to promote empathy through the following means: psychotherapeutic exercises, guided interactions between the victims and those government or social actors in charge of protecting them, and, finally, readings and sessions with experts on the psychological, economic, social and political dimensions of criminal violence in the Caribbean Rim and the Central American sub region, including Mexico.

The workshops also provided practical tools to the participants. First, to defend a case systematically from documentation, to self-care and legal counsel and, second, to design more effective public interventions, for example, to improve the working conditions of those entrusted with defending victims or, in general, to aid victims with more empathetic programs or policies. Thus, we now present the general objectives of the workshops:

*Workshop for victims, relatives and activists*
- To empower victims for the full exercise of their human rights by teaching them how to defend their cases with legal, political and communication tools.
- To present to participants the most recent and useful findings of academic studies on violence and peace.

*Workshop for public officials responsible of defending victims*
- To train public officials such that they are capable of protecting the victims of criminal violence in and effective, timely and empathetic manner within the legal and human rights framework.
- To present to participants the most recent and useful findings of academic studies on violence and peace.

### *Profile of the participants*

The participants were victims of criminal violence, relatives of victims, activists involved in the care of victims or public servants responsible of protecting them. We received applications from individuals in six states form a wide variety of social, educational and economic backgrounds who had endured different types of criminal violence from forced disappearance to homicide or torture.

TABLE 1
PROFILE OF APPLICANTS AND PARTICIPANTS IN THE WORKSHOPS

| Workshop | Profile | Number of applicants | Number of candidates accepted | Number of participants concluding the workshop |
|---|---|---|---|---|
| *Workshop for victims, relatives and activists* | Victims, or relatives of victims, of torture, homicide or forced disappearance<br><br>Activists who had at least two years of experience working with victims of criminal violence | 36 | 26 (72.2%) | 24 (92.3%) |
| *Workshop for public officials responsible of defending victims* | Officials from the National Commission on Human Rights<br><br>Public officials from other federal or state agencies working directly with victims of criminal violence<br><br>Private service provides of care to victims of violence or to endangered persons | 31 | 26 (83.9%) | 18 (69.2%) |

Given that this was the first experience with workshops of this kind at El Colegio, we limited the number of participants to 25 for each group. We created a selection committee with members of the *Seminar of Violence and Peace* at El Colegio (5 participants). The committee reviewed the files of the applicants[2] and selected a final list of 52 participants, most of them were awarded full or partial scholarships from the CNDH or El Colegio (78.6%).

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2  For victims or relatives of victims we requested a registration form and a letter of intent. For defenders of victims we requested, in addition to those documents, a curriculum vitae and proof of their experience working with victims.

### *Profile of the workshop and the instructors*

The workshop included 48 hours of in-class work and there were three types of sessions and instructors: (a) *psychotherapeutic sessions* led by therapists from the Latin-American Institute for the Study of Families (ILEF),[3] (b) *violence and peace sessions* taught by faculty from El Colegio de México or other universities with expertise on violence and peace, and (c) *practical sessions* guided by facilitators who are correspondingly members of social organizations with experience on the integral defense of cases or specialists on public policy analysis.

TABLE 2
TWO WORKSHOPS AND THREE TYPES OF SESSIONS

| Workshop (Apr 5- Jun 25, 2016) | Psychotherapeutic sessions | Violence and peace sessions | Practical sessions |
|---|---|---|---|
| ***Workshop for victims, relatives and activists*** | 1. Empowerment<br>2. Emotional and physical self-care | 1. Criminal violence (determinants and perpetrators)<br>2. Human rights, culture of peace and attention to victims<br>3. The demands of the victims of criminal violence and the responses of the State | Mixed teams of randomly selected victims and public officials (5-6 members) developed one the following exercises/ documents with the support of a facilitator<br>*(a) Public policy analysis*<br>*(b) Comprehensive defense of a case* |
| ***Workshop for public officials responsible of defending victims*** | 1. What is a public servant for?<br>2. Self-care of public servants<br>3. Personal and institutional protection<br>4. Challenging cases | | |
| 48 hours in total | 12 hours | 24 hours | 12 hours |

*Experiential journal.* The experiential diary is a light notebook that the therapists delivered to each participant during the first session of the workshop requesting from them to write in it every day or as frequently as they desired with the purpose of answering "how and where have the ideas presented in the workshop moved you?" This is an instrument developed to register and evaluate how the participants change their perceptions towards the others (victims or public officials) throughout the workshop. In particular, participants were asked to write down reflections, feelings or emotions awakened by the subjects discussed in the sessions. In the final analysis of the experiential diaries, we preserved the anonymity and confidentiality of participants.

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3  In particular, from the Center for the Care of Victims of Violence (Cavida) at ILEF.

### *Evaluation and accreditation of the workshops*

We considered three aspects to evaluate participants in the workshops: regular attendance, assessment of the final report of a team assignment (a public policy analysis or an integral strategy for the defense of a case), and the submission of the experiential diary.

Regarding the team assignment, we randomly created 11 teams mixing victims or their relatives with public officials that developed either a public policy analysis of a real policy problem identified by participants (6 teams) or an integral strategy for the defense or an authentic case of criminal violence. We decided to assemble mixed groups of victims and public officials to craft an additional space of interaction, knowledge and, thus, empathy. We had the fortune of recruiting six talented leaders for the sessions dedicated to prepare these assignments,[4] thus, each leader was in charge of two teams at the most. The counseling took two forms: face-to-face on three two-hour workshops, and virtual through the submission of interim reports and feedback by email or phone.

Regarding the experiential journal, as mentioned earlier, participants had to keep, throughout the course, a diary to register emotions, thoughts and notes derived from the sessions. This diary was submitted at the end of the course, along with the final written report of the team assignment.

## INITIAL FINDINGS AND IMPROVEMENTS TO THE WORKSHOPS

We decided not to keep any visual or audio recording of the sessions due to the sensible nature of the information discussed (especially the interventions of the participants describing their experiences during or in the aftermath of the violent crime). In order to keep a constant record of the development of the workshops as well as to give testimony of how the participants related with the subjects discussed, written minutes of every session of the workshops were kept by an expert in oral history, that is to say, a record of everything that happened. Technical information of each session was included in each minute (such as general subject, name of the speaker, place, participants), as well as the report of what happened during the session and the observations derived from relevant interactions and the reactions of participants.[5]

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4  The public policy analysis teams were guided by three full-time professors from El Colegio de México; the integral strategies for the defense of cases were counseled by a full-time professor from CIDE and two activists with ample experience in cases of forced disappearance, homicide and torture.

5  In order to maintain confidentiality, in the minutes, the names of the course members were replaced by a letter and an identification mark, depending on the workshop to which they were assigned, for example: Participant A (defender), Participant B (victim), Participant C (official).

### *Main findings of the analysis of the minutes*

The systematization of experiences recorded in rapporteurs enabled us to map how participants interacted throughout the courses. We found that, at the beginning of the courses, each group was differentiated as "participants from the group of public officials" and "participants from the group of victims, relatives and activists". At the end, although this distinction continued formally, the participants started to find common ground across groups, collaborated enthusiastically in the various exercises and asked for additional sessions in which both groups interacted. This identification was gradual, but no less interesting and valuable: on one hand, we observed that public officials recognized that they could be vulnerable when dealing with victims of violence, and that they were not "less strong" because of that (on the contrary, they identified the need of self-care tools to feel better and to improve their performance as public officials); on the other, victims of violence, relatives and activists recognized the emotions of public officials and expressed their awareness that they should, as far as possible, take responsibility for their pain and understand that officials were not to be blamed for it.

On several occasions during the course, instructors, facilitators, therapists and participants were willing to create an adequate environment for moments of recognition among victims, relatives, activists and public officials. One example is when public officials pointed out that the system was not conducive to empathize with victims of violence and when victims realized that officials were also treated cruelly or unfairly within the bureaucratic system. Another example is when participants, in the closing session, presented, through graphic work, what they had learned, their cases and what they had experienced in the sessions. Overall, they realized they shared a common goal, and that they were not antagonists.

Another highlight about the development of the sessions is that participants showed interest and participated in discussing diverse perspectives about violence (violence in Mexico, peace culture, international human rights agenda, national public policies, implementation of human rights protections in Mexico, the perception of citizens regarding violence, etc.). The interventions of participants were based on their own experiences, on what they or their communities had suffered, their work with civil society organizations, the tracking of cases and their work experience. They were also eager to participate when there were discussions regarding how to transform methodology and theoretical concepts or approaches into useful tools for public officials and activists, or interested in becoming involved in the public arena given the relevance of the testimonies of victims and their relatives in the process of halting criminal violence.

### *Main findings of the analysis of the experiential journals*

The report elaborated by the team of psychotherapists form the Latin American Institute for the Study of Families (ILEF), based on the experiential journals, shows that the participants were able to record the emotions that emerged during the sessions, for example, compassion for the experiences of victims, impotence or annoyance from public officials because at the beginning they felt judged, disappointment with institutions, despair regarding the crushing data and cases presented regarding violence in Mexico, and hope for being able to relate with other people in similar situations who are committed to making a difference.

The report also recorded the conclusions that participants reached from the different exercises and activities during the sessions and their daily life. For example, that there is a need to rethink and re-signify the concept of victim, that the pain suffered by victims must be recognized socially, and that public officials should listen to the experiences of victims in an open manner. Participants concluded that it is key not to give false hopes to the victims about their cases and not to presume what they need but to ask them directly and in a compassionate manner. Another relevant finding was that both victims and public officials associate low trust in governmental institutions with the unwillingness to work together, but they also suggested that bridges needed to be built to comprehend "the other", and to try to stand in each other shoes.

The ILEF team evaluated the diaries and concluded that the interaction between the two groups was a highly enriching experience and that the courses helped to raise awareness towards the issue of violence in general, but also towards the manner in which each group (public officials, victims, relatives and activists) experiences it. The therapists also emphasized the frequent use of specific words by participants in their experiential journals as evidence of their most important emotional learnings: healing, recognition, gratitude, empathy and compassion.

## CONCLUSIONS

Now, we have introduced five major changes to the workshops since these first pilots were carried out in the first semester of 2016. To conclude this report, we briefly discuss each one in what follows.

### *1. More experience-oriented content*

Studies have shown that Active Learning (AL) is an effective strategy to foster victim empathy among students (Clevenger *et al.*, 2016). As a result, in the

new versions of the workshops we have incorporated more practical and case-based materials (including audiovisual material and case documentation) to be used in each of the topics/sessions taught, in addition to the necessary content on relevant academic concepts and findings. The idea is to give participants a more "hands-on" learning experience through the use of case studies and concrete examples.

### 2. Change in grouping categories

In the pilot workshops, participants were divided into two groups: (1) victims of criminal violence (including family members) and civil society advocates, and (2) government or private officials providing services for victims (i.e., human rights government officials). Most of the sessions were carried out separately for each group. In the new versions of the workshops, we are going to organize groups in the following way: (1) victims (including family members), and (2) service providers for victims, both from government and non-government organizations. This new setting emphasizes the view that all those who care for victims of violent crimes belong to the same group of people and, thus, share a common purpose and work towards the same goal. This is a commonly overlooked fact in the Mexican context, as many non-government victim advocates see themselves as counterparts of government service providers. The new group setting will not only aid in fostering empathy between government and non-government victim advocates, but it will also permit to tailor sessions more adequately according to the needs of each group, as the challenges faced by victims are clearly different from those of their service providers (see section *I. Why foster empathy in the aftermath of criminal violence*).

### 3. Greater interaction between groups

From the experience and evaluations derived from these pilots of the workshops, we learned that one of the most crucial aspects that made those experiments relatively successful was the interaction between both groups. As a result, we redesigned the format of the workshops to include a greater number of sessions with both groups interacting. A few would still be conducted separately, but these are to be entirely focused on teaching participants the knowledge and skills that are relevant for their own specific needs.

### 4. Implementation of additional evaluations

The evaluation of the impact of the workshops on the levels of empathy of participants is clearly essential. In the pilot workshops, we implemented qualitative evaluations that showed a positive impact of the workshops

on knowledge and empathy. In order for us to evaluate the efficacy of the workshops more robustly, we have introduced a compulsory confidential test that incorporates standard measures of empathy used in the literature, such as the Basic Empathy Scale (BES) and the Interpersonal Reactivity Index (IRI), which have been validated in Spanish (Salas-Wright *et al.*, 2012; Mestre Escrivá *et al.*, 2004). The test has been designed and will be assessed by expert neuroscientists in Mexico and will yield a quantitative impact evaluation that complements the existing qualitative ones.

### 5. *Advice from institutional or sector experts*

In order to better tailor the workshops to the specific need of each agency (the Office of the Attorney General, the Federal Police, the National Commission of Human Rights), we have partnered with institutional experts. The inside knowledge and advice of these experts has been fundamental for the particular focus and design of each workshop, and has enhanced our understanding of the main organizational challenges faced by each agency. Our belief is that this change, along with the rest of the improvements discussed, will improve the targeting of our interventions and, therefore, will brand them more effective.

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