

## Twelve principles to Essential Justice

“We are spiritual beings having a human experience.” - Pierre Teilhard de Chardin

“Why, after so many years of adapting laws to the highest legal standards, they have not been reflecting a more human-centered approach to applying the law to children and their families?” This question haunted me while running the workshops on “Strasburg’s Protocol for a Friendly Justice for Children,” which was organized by Mercosur’s Magistrates Association and held in different cities throughout Argentina. Here we were, once again, creating new guidelines for children to be seen and heard by institutions.

At that moment I had an insight: something was lost on the way. Academy and its institutions have become very sophisticated in developing refined legal procedures, but their agenda was still distant from human needs, and some rituals no longer embodied the spirit of justice.

Something happened along the way that caused us to lose contact with the aspect of the law that protects us, that cares life, and allows us to grow. It is the ancestral nature of the law that shows us the signposts along the way, allowing us to have an intimate experience with the archetype of justice embodied by King Solomon and his wise judgment, teaching us how to be committed to truth through freewill. It is the transcendent dimension of justice that guides us in the humanization process.

For us, who work with children and youth, it is crucial to develop an interdisciplinary thought that allows us to understand the complexity of the situation while responding, at the same time, with simple and meaningful actions for families and children.

I remembered how many times I had faced dilemmas. When you have to make a decision, it is very easy to know what not to do. The biggest challenge comes whenever you need to make a decision that engages stakeholders and there are different options to choose from. Many times the answer is impregnated by the emotions generated by contact with human suffering. This makes us face our deepest shadows, both personal and collective, and they trigger our own trauma. But if we are able to stay in an internal quiet space, the vision that transcends current events also emerges and we are able to be in contact with the meaning of the process we are witnessing, and there, are the seeds of the next steps for the resolution.

Following the story I just started to tell about the application of International Protocols for the best practices with children and families, we were looking for a translation of Friendly Justice and it was then that the answer popped into my mind, like a luminous billboard: Essential Justice. And then a flow of images came to me.

## **Observing our Thought Patterns. From the dialectic to the dialogical Mind**

Our legal training is anchored in linear cause-effect logic. We filter the image we see and perceive through the lens of what we have learned and through fragmented mental schemes based on our discipline. And then, we get surprised when reality answers us in a fragmented way. Thus, the first step is to integrate body, mind, and emotions for an expanded perception to also allow the witness inside of us to observe itself. It is a silent and trustful inner space, where we are able to observe our thoughts while perceiving our body and emotions awoken by witnessing what is happening outside of us. In this state, we can be present, empathic, and related to what happens, thus creating a coherent field.

There is coherence when the channels are open and connected. This creates the necessary tension in the energy field to support both internal and external pressures while being a body of resonance and modulation of emotions. It is not necessary to say anything, if we are completely present and conscious, we can hold a coherent space for what needs to emerge. The quality of the mind, at this stage, is open to allow different logics to coexist without judging them. In this way we can increase our perception and sharpen our thoughts, new insights and possibilities emerge. We only have to flow while keeping a rooted and conscious presence.

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### **Keeping tuned in what emerges by accepting what it is**

Normally, justice looks at the past: What happened? How did it happen? What did the witnesses say? But, an updated vision of the theory of time shows its relativity. The traumas of the past are proof of it. In spite of our desires, they do not remain frozen faraway, but from the shadows, they are always trying to emerge to be healed. And meanwhile, they repeat themselves once again turning, if not solved, into destiny.

What happens if we are in a conscious present, accepting things as they are, allowing the shadows of the past to visit us while remaining open and being inspired by the creative force of the future?

That would be to access the flow of healing. It constitutes a gesture. I energetically hold the present field without judging, for the past to be able to express itself. I stay present and rooted, open for the future to enter in its full potential of creativity, and complete the healing cycle. This attitude thus turns into an energetic quality catalyzing the healing energies not yet unfold, allowing us to reach their own resolution.

## 3

**Evaluating instead of Judging**

The observers and stakeholders should accept the present as it is and become aware of being immersed in energy fields with forces that have their own dynamics where the seeds of evolution lie.

With this in mind, the right attitude is not to judge but, instead, to evaluate the processes of integration and evolution of consciousness. There is an essential difference between judging and evaluating. When I judge, I usually do so from a closed system of beliefs. If I don't understand, I am blind to the situation, and therefore, I tend to judge others using my own belief system. When I assess, I open up the possibility of real observation with presencing. I consider the point of view of others and integrate it as part of the process of understanding. This state of open mind and open heart allows the integration of the shadow and to bring in more light. It is important to remember that only by integrating more shadow we can integrate more light. These times of fragmentation and disruption, as never before, offer the chance to see and integrate human aspects that have always been denied.

## 4

**Evoking and invoking the Essence of Justice**

When something is fair, we feel it in the body, in the vibration that emanates from that deep wellbeing. Moral pain is devastating because it stops the flow that nourishes our ethical dimension. Today, neuroethics show that our brain has biological foundations of morality and even toddlers do empathic acts without expecting any reward. Thus, the sense of fairness lies in the biology of our brains, and, when equity and truth are damaged, we suffer deeply. This happens as individuals, and as a collective.

The memory of people who have been subject to deep injustice continues alive in the suffering of their descendants. Traumas are not only related to pain and loss but to the grief of injustice that arises from the past and is evident in multiple social and cultural manifestations. It is the moral trauma produced when, in the past, an act was carried out breaking a higher Law, interrupting the energy channel that fed life. When we bring the Law back, the flow of life is restored where it was razed, and the trauma may be healed by equity and justice.

This feeling of wellbeing we have when something is fair is a feeling that we can evoke because it is in our body and in our cell memory. It means recovering the ancestral memory that our body perceives through deep emotion and evokes justice.

At the same time, on a deeper level, it is possible to invoke superior dimensions of justice, in order to flow to us, through the channels that connect us to a Higher Consciousness. At the point where evoking and invoking meet, it is possible to crystalize the deep meaning of justice, producing an upgrade of our consciousness.

## 5

### **Renounce avenging in our Life our Ancestors**

Retaliation does not soothe pain; it multiplies and spreads it. And the wound stays open and the pain is still there. How to stop this spiral of violence and suffering? I was blessed with a trip to Israel and Palestine, where I spoke with many leaders of peace movements. They were people who had lost their dear ones, and some of them had been involved in violent situations in the past. In their words and testimony, I could feel the depth of their pain, the love for the land, the power of community life, and the deep connection with their historical roots. At the same time, I could glimpse the process of deep transformation that takes place when the enemy is humanized, and you realize that both of you share the same pain. I vividly recall what one of them said... "I have come to understand that they are not my enemies... their fears are."

The path to retrace the violence is the disclosure of the truth, acknowledging the pain produced and its consequences for the victims, their descendants, and the community. It is a sincere undertaking of responsibility and restoration of the law, there, where it was broken, with an act of justice. But even then, the pain of our ancestors remains present. At that moment, the only thing to do is to humbly honor the dignity of their paths and what happened. It is theirs, and we must give up retaliation when we invoke justice. Nelson Mandela, Mahatma Gandhi, and Martin Luther King, among others, constitute living examples of this path. Peace is a condition of the spirit, its quality is the inner feeling of harmony produced by living in connection with the flow of life, in harmony with the creation.

## 6

### **Recognizing the Essential Divinity in all Beings**

The intelligence of the cosmos is the flow of life within each being. This flow responds to immanent laws: the seasons, the growth of a seed to become a tree, the tides and feminine cycles, the movement of the stars, life, and death. In our cells,

there are carbon molecules of a sun that preceded ours, we are celestial beings in its literal meaning, and life beats in us through rhythms and cycles that fit perfectly within the harmony of the Cosmos. Harmony is also produced by chaos and destruction. Death is a condition of life.

There is an epiphany that occurs when we recognize the sacred in every manifestation of life, in all its forms.

It is also the worldview of the sacred in everything that our ancestral peoples acknowledge and honor in shamanism.

When studying the laws and practices of our native peoples, we find that they protect and honor every form of life. Their systems include the Earth as a legal entity and their practices of restorative justice are studied today in universities, all over the world, because of their healing powers, both at individual and community levels.

In their view of the world, human rights acquire a deeper dimension - the care and protection extended to every form of life and to Earth itself, referred to as the Pacha Mama among Latin American Peoples. But there is also, unlike in our modern legal systems, a trans-temporal dimension across generations. They honor the mandate of their ancestors to become guardians of the heritage for future generations. These cosmovisions are timeless, transpersonal, and transgenerational, strongly anchored in the meaning of the sacred and belonging to the whole. They constitute a beautiful example of social and spiritual fabric, knitted by men and women, with the threads of cosmic law and the memory of our ancestors.

## 7

### **Shifting Focus Away from a Linear Perspective**

The modern paradigm understands that our fragmented mind reduces its point of view to what the paradigm can account for. Thus, our epistemic matrix allows us to see a succession of images and events but hides out of consciousness its deep connection. In the practice of law usually, we focus on the facts and their details, and we neglect the dynamics and multiple relationships produced among subjects and facts in personal and transpersonal dimensions.

We force events, as one-eyed cyclops would do, to fit within the thin temporal line of past, present, and future when really, their dynamics are closer to the loops of entropy. Emulating Procrustes, we do our homework ironing the spirals because we can not tolerate the anxiety born in the uncertainty of the complexity. It is as if our lenses were focused on the dance steps, but we are not able to enjoy the harmony of music and dance.

In order to have a deeper perspective, it is important to integrate the different distances of perception. Using the metaphor of the theater, there are moments in life

when we are on the stage and we perform the character, centered in our feelings and emotions. In other moments, we are the audience and watch the choreography; we are not protagonists, but we enjoy the movement as a whole, as part of the gallery. Or, when the play has finished, we talk and think about what we saw and felt as an audience. These three distances and positioning are also inner movements. And we need to go through the three of them to integrate our perception.

## 8

### **Entering Multidimensionality**

When we work on the events and stories of the cases, we also work on our own stories. Those cases may trigger our blind spots and activate our frozen traumas, whether individual or collective. There is an overlapping of internal and external processes. Maybe this constitutes one of the key points in understanding how activated our resistance is to see the underlying processes and their dynamics. When we open to the multidimensionality of processes we also honor their mystery, even when it is not given to us to reveal it.

There is a willful act to continue related to this process of transformation, even when we experience certain uneasiness or discomfort.

When we release our expectations and control attempts we become vulnerable and the real strength appears, the strength that allows us to be involved in the larger movement, and touches its deepest sense.

The facts, seen from this perspective, are icons or signals of intelligent processes that also occur in other dimensions. They trigger a chain reaction that can release the possible frozen trauma which is then transformed, and at the same time, can transform us in the same movement.

These events then may become windows to the universe which have been opened in our consciousness to heal and follow the evolutionary path.

## 9

### **From Control to Consciousness**

From the beginning of modernity, we have moved from a culture of disciplining to a culture of rationalization and control. Control as a state of consciousness.

Starting at the courts of the Inquisition until today, we have moved from a culture of disciplinary action to a culture of rationalization and control. Control as a state of consciousness.

Our digital societies have maximized their capacity to follow and control all areas of our lives. More and more, philosophers and thinkers reflect on the impact of new technologies, artificial intelligence, and digital autocracies. Paradoxically, we are made to believe that we have more freedom to choose, but, at the same time, we

have never been as screened and monitored in real-time as today. Our attention and decisions are constantly being captured by algorithms that later influence our decisions. Social networks silently discipline us with their happy or sad emojis.

Despite our daring attempts, reality shows that it is very little we can control. Unexpected events, arising from decisions made at remote control centers or eruptions from nature, shock us and provide evidence that our capacity to control is a mere illusion.

There is an undesired result of our attempts to manage risk and what reality shows. As soon as the control systems are being perfected, the more intense and faster become the unexpected and random events in life.

These dynamics force us to look into our inner space. Is our inner space out of control?

When we are compelled to face our own chaos and we become conscious of it, we release our potential and allow creativity to flow. This process helps us recover the energy used to control and, instead, let the higher-order emerge. Sometimes we perceive some situations as chaotic because we do not have the tools to decode it from the level we are witnessing it, but, when consciousness expands, new meanings appear and a new order emerges in front of us.

Therefore, our higher goals as humanity should not be to have more control but to attain greater consciousness and to achieve a deeper and more complex perspective. We need to be both witnesses of our evolutionary process and protagonists in the co-creation of our ecosystems.

## 10

### **Building sensitive, fluid, and subtle Institutions**

Our modern institutions have come hand in hand with the creation of state bureaucracies.

The advancement of industrialization was made possible due to the development of science. At the same time, the growth in social and political levels resulted in the creation of solid institutions that developed nation-states and their economies.

This development seemed endless, but it has reached its ceiling with the exhaustion of natural resources, degradation of the environment, and unequal wealth distribution.

Our societies have also been suffering the depersonalization and alienation of urban life, with high levels of toxicity, affecting both our physical and mental health.

Zygmunt Bauman, an enlightened mind of our days, coined the terms “liquid modernity/society” to describe the fluidity and permanent change phenomena in the structures, social relations, and subjectivities of our times.

In this context, the “solid” institutions start to crack, growing apart from their mission, losing vitality and meaning.

The challenge of this time is to re-create more fluid and sensitive institutions, focus again on their mission and unfold their deepest meaning. On a transpersonal level, our job is to generate sensitive processes, guided by empathy, focusing more on purpose and less on the bureaucratic structure. They must be more flexible and open to the needs of their members and stakeholders, turning their work into a conscious process of collective intelligence and social integration, and recognizing cultural diversity as an institutional value. Also, in this new paradigm, the legacy of those who preceded us is acknowledged, as well as their spirit and the energy field they unleashed when serving their mission, especially in maintaining the balance between giving and receiving.

These new forms of institutions are those that reinforce an authentic leadership rooted in values and ethical coherence.

Amartya Sen, Nobel prize of economy, wrote that human rights are, in essence, an ethical positioning, beyond the laws that create them. And for reaching this level, we need to create institutions based on ethical values.

This ethical positioning involves being willing to keep an open heart to see injustice and its circumstances. It is only with an open heart that tenderness can come through, that ancestral feeling that turns human beings into ethical beings.

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## **Synchronizing Trans-disciplinary Processes, and tune into the Vocation of the Soul**

We have specialized in all fields of human life, dividing knowledge into small boxes. At the same time, new transdisciplinary fields are emerging, such as bioethics, ecology, cosmology, neuroscience, and so on. In the legal domain, more subtle fields are also emerging: Human Rights, Alternative Conflict Resolution, Restorative Justice, Victimology, Gender Issues, Minority Rights, Environmental Legal Protection, and Civil Rights empowerment, among others.

All of these new areas of knowledge carry the seeds of the quantum leap that we need to make as a global society.

But, as in every paradigm shift, these new more subtle fields coexist with practices that belong to the previous system. And it is precisely in them where the incoherence is visible and challenges us to shed light on the shadows of the old paradigm and to revise habits and practices.

We are faced with unprecedented complexity and scale of information that generates tension in our minds and bodies. It seems that the classic formula of hierarchical knowledge is no longer effective in solving large-scale problems such as poverty or climate change. On the other hand, scientific advances and the

acceleration of technology pose new ethical dilemmas, impossible to address from just one area of knowledge. It is then when we realize the importance of activating collective intelligence in order to share transdisciplinary fields based on ethical values.

This upgrade in the collective consciousness is reflected also at the personal level in the willingness to follow the vocation and purpose. It is the call of the soul to serve life.

And it is by following this path that we will eventually face our deepest vulnerability at the same time we discover the gifts and strength to carry out the plan drawn by our essence.

## 12

### **Listening to the Sacred Voices of the Law**

Every culture expresses the Law with its own voice, with meaning and emotional shades, which are often unintelligible for the foreigner. It is also expressed in natural cycles, the movement of the planets, or the butterfly that emerges from its cocoon. Both at macro and micro levels, the Laws speak through the thread of life.

Sometimes it is our lack of understanding that makes us perceive an anomaly in the Law when something does not happen as expected. But this is occurring only in one layer; there is a Law working on a deeper level that we cannot see.

In families and communities, Laws operate silently and effectively, even when they are not stated, connecting people through belonging and meaning.

If we could awaken in us the sensitivity to unveil the deeper patterns of orders not yet unfold, we would be able to see the flow of life in its full complexity and exquisite order. These hidden Laws sometimes are recalled with rituals or are present in the stories told by mystical traditions.

Rituals are the expression of symbols, which, in turn, put us in contact with the energy of the archetype. They are full of meaning, they have the virtue of synchronizing our inner self at a higher level. Both as individuals and as collective, rituals help us make space to integrate the sacred into our lives.

In the frantic rhythm of modern societies, we have lost inner time and space to be part of rituals with devotion, honoring the mystery they guard and that is revealed to us if we are open to it. We have desacralized rituals, and in doing so, unaware, we have lost the connection with the sacred and the energy that overflows us when we connect with their transcendent dimension.

Embodying the **essence of justice** makes us wonder how to bring new life and recreate its rituals so each culture makes them their own, with their own voice and emotional languages. It is opening the threshold that allows ethical principles to connect with the cultural body. **It is walking through the peace pathway.**