

Everyday Dignity - Blog Entry 2016

An Illuminating Act of Justice

On a recent Friday morning, while half-listening to NPR, I found myself riveted by a story. It was a conversation between a District Court judge and an Afghan war veteran who had appeared in his Court. The story was moving, with a surprising twist. But what kept me transfixed for those few moments was a jolt of recognition. The judge's behavior exemplified a phenomenon that I have begun to recognize.... and attempt to document for some time now.

I refer to this phenomenon as "Everyday Dignity." It operates in the realm of interpersonal interaction, and is made up of the communication acts and behavioral actions that occur between two or more individuals. Some acts and actions are quite small (e.g., brief; with minimal cost to the actor), while others are grander (e.g., enduring over time; requiring more effort.) However, all examples of "Everyday Dignity" result in affirmation and/or restoration of the dignity of one or both actors. And, dignity affirmation and restoration can engender¹ positive self-regard, pro-social and cooperative behavior; promote the healing of psychological and spiritual wounds; preventing additional damage and lead to positive outcomes previously unimagined. I suggest that acts of Everyday Dignity are based in Deep Empathy, the ability to project yourself into the circumstance of another according them humanity that is equal to your own.

Rather than presenting a comprehensive definition of "dignity", which you might reasonably expect, I have adopted an inductive, "bottom up" approach. I am compiling a series of Everyday Dignity examples and analyzing the interactions, and the acts and actions involved. As a result, I hope to illuminate the phenomenon as I understand it. Then others can comment and critique, ideally refining how and in what ways Everyday Dignity may prove a useful construct for understanding interpersonal conflict and healing.

Here is the story. In 2013, Green Beret Sgt. Joe Serna retired from the Army after 18 years of service and several tours of duty. Several years earlier, in Afghanistan, Joe and three buddies were trapped in their truck after it landed upside down in a river. The water rose and Joe was unable to save his comrades. Difficulties adjusting to civilian life led to struggles with drugs and alcohol; ultimately he received a DWI and a parole violation. He appeared before District Court Judge Lou Olivera, who sentenced him to spend a night in jail. Sgt. Serna remembered being alone for a little while in the small windowless cell, shaking and sweating, remembering being trapped in that truck. Hearing some keys jingle, he looked up to see Judge Olivera. Knowing

¹ Engender= cause or give rise to (a feeling, situation, or condition). "the issue engendered continuing controversy"

Serna's wartime history, the Judge had decided to spend the night in the cell, with him. After the Judge entered and the door was locked behind him, Sgt. Serna reported that the terror left, being replaced by a deep calm. The two spoke all night, about themselves and their families; also about war. "I've never seen this kind of act from anyone", Sgt. Serna reported, with awe in his voice.

How do Judge Olivera's actions illustrate the phenomenon of Everyday Dignity? First, Sgt. Serna's words suggest that Judge Olivera's presence in the cell interrupted the psychological damage that he would have experienced if he had spent the night alone in the dark, windowless cell. Also, the Sgt.'s reaction also conveyed that Judge Olivera's actions made him feel valuable and worthwhile, i.e., restored some of his damaged dignity.

Let's contrast that with an alternative path Judge Olivera could have taken. He could have shown "leniency" and not sentenced Sgt. Serna to the night in jail knowing how traumatic it would likely be for him. I suggest that would have been an act of mercy perhaps, but not one that would have nurtured Sgt. Serna's dignity. Bending the sentencing rules for this defendant might have left the Judge feeling out of integrity. Instead, he threaded with precision a very narrow needle; he held Sgt. Serna accountable for his current mistake while mitigating the disproportionate potential damage of the sentence to Sgt. Serna's well-being with his presence.

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There is one other piece of information useful in understanding this particular instance of Everyday Dignity: Judge Olivera is himself a veteran (of Desert Storm) and has served in the Cumberland County, N.C. Veteran's Treatment Court. So perhaps his access to Deep Empathy is less surprising; he has experienced war and he has had ongoing contact with veterans. And yet... this makes his actions no less remarkable and illuminating.

² "And he had to be held accountable -- but I just felt I had to go with him. I felt I had to go with him," Judge Olivera said.