Chapter 1

Introduction to the Politics of Restorative Justice

Rene Durocher spent twenty-three years of his life as an inmate in seventeen different penitentiaries. He entered his first correctional institution at the age of seventeen for an act of armed robbery. At the time, the Crown decided to try Mr. Durocher as an adult to teach him a lesson — a lesson for which he was not yet ready. Raised in a large family by an abusive father, Mr. Durocher had learned to use his fearlessness and daring to get what he wanted. And although he never wanted to physically hurt anyone, he did not expend much thought on the emotional and financial harm he was exacting upon his victims.

Rene Durocher was released in 1963, but found himself back in prison within the year. He had walked into a store while firing a newly purchased shotgun into the air. Once again, he was arrested, and this time, he was sentenced to fourteen years. While in prison, he took lessons from the more experienced inmates and eagerly awaited parole to test his new criminal knowledge. However, when at last he was released on parole, this knowledge soon failed him, and he was re-arrested only four months later. In this instance, he and some associates had purchased machine guns and were using them to conduct bank robberies. One robbery went wrong, and a shoot-out transpired. Mr. Durocher exchanged fire with the police with little thought of the risk to himself and others. He was the only one of the bank robbers who was not shot that day.

In prison again, this time for twenty-two years (and only twenty-five years old), Mr. Durocher had earned the respect of his fellow inmates. He was the “crazy Frenchman” who had shot at the police. However, Mr. Durocher ignored his notoriety and sought to improve his formal education. While in prison, he also fell in love. Upon his third release from prison, he tried to lead a law-abiding life, but after several bad jobs and a failed business venture, Mr. Durocher found himself in debt to organized crime, with a wife and two children to support. To correct the situation, he returned to what he knew best — crime — and participated in what was, at that time, the biggest robbery in Canadian history. On July 8, 1985, Mr. Durocher and his partners robbed a Brinks truck. He used the money from the robbery to buy a house and pet store. He was arrested for a final time six months later.

It was only at this point in his life that Mr. Durocher began to try to change himself. He worked with the prison psychologist at Stony Mountain
Penitentiary in Manitoba and learned to take responsibility for his crimes and to recognize the harm he had done to others. Upon his final release from prison, he committed himself to helping others and has since worked with agencies, such as Lifeline, the John Howard Society of Manitoba, and the St. Leonard's Society, to assist inmates in turning their lives around.

The retributive mode of punishment, which seeks to be “tough” on offenders in order to deter future criminal activity, clearly did not help reform Mr. Durocher. For Rene Durocher, prison often felt like “home,” and it was not until he was prepared to change himself that he was able to shake his criminal career. This raises the questions: might another approach to justice have helped lead Mr. Durocher to this realization sooner? If so, are we as a society ready to think differently about justice and to provide offenders meaningful opportunities to reform themselves? And are we ready and willing to reform society in the process?

Introducing Restorative Justice

To answer these questions, we must first look at our justice impulses because when we hear about crimes like those committed by Mr. Durocher, our first instinct is, typically, to call for punishment, no matter how counter-productive this punishment may be. Indeed, the punitive conceptualization of justice is deeply ingrained. From early in our lives, we are inculcated with notions of right and wrong, and of just and unjust punishment. This conditioning is further reinforced by a cultural mythology of criminal justice. A common motif of our culture is the good (eventually) receive the rewards and the bad are punished. Thus, justice is culturally constructed as an either/or dichotomy and is assumed to have winners and losers. Imagine the difficulty, then, of trying to encourage a different notion of justice, one designed to care for the different needs of those who commit harms and those who are harmed. Such a project would require more than just platitudes and good ideas; it would require a politics — a strategic plan for countering the current arrangements of social power — to challenge entrenched and dominant notions of justice. This book is intended to contribute to such a project. Through an introduction to the basic themes, theories, and practices of restorative justice, I hope to demonstrate that restorative justice is an idea that needs to achieve traction and resonance within a distinctly political environment. Moreover, I will propose that restorative justice must develop an enabling politics so it may more effectively spread its messages among the general public and contribute to social transformation. However, before we can approach the issue of the politics of restorative justice, we must first contend with the question of what restorative justice is.

Restorative justice is a term deployed with great frequency within contemporary criminal justice systems. More and more, criminal justice
programs aimed at diverse goals, such as reintegrating offenders, healing victims, and dealing with crime in communities, describe their principles and their mission statements in the language of restorative justice. As well, restorative justice is receiving greater recognition in formal law. The 1999 *Youth Justice and Criminal Evidence Act* in England and Wales and the 2003 Canadian *Youth Criminal Justice Act* both make room for restorative practices within their respective youth justice systems (Crawford and Newburn 2002; Charbonneau 2004). In 2002, the United Nations released its guidelines for applying restorative justice to criminal matters, touting restorative justice as a legitimate and beneficial means for dealing with criminal harms (United Nations Economic and Social Council 2000; see also United Nations 2007). Thus, restorative justice has achieved a great deal of political recognition over recent years and has come to be viewed in many quarters as a viable alternative within the criminal justice system. This trend is evident in the numerous restorative justice programs sprouting up worldwide.

Despite its growing popularity, restorative justice does not lend itself to easy definition. For example, it is often described as a participatory practice that involves the victim, offender, and community in resolving the harm caused by a specific crime. More directly, according to Tony Marshall’s (1999: 5) definition, it is a process whereby all the parties with a stake in a particular offence come together to resolve collectively how to deal with the aftermath of the offence and its implications for the future.

An image that immediately springs to mind is of a rural community hall where neighbours gather to discuss a criminal event, such as a break and enter. The offenders are present with heads bowed to demonstrate the deep shame they feel as they stand before their community. The victims are there as well and are surrounded by their supporters. And what unfolds is a conversation that results in a novel solution: the offenders, sincerely apologetic, offer to help the victims clean the mess and recover their losses; the community unites around victim and offender, offering their collective support; the victims forgive and move forward with neither hatred nor fear nesting in their hearts. This romantic narrative is a potential reality, but it does not reflect the typical practice or outcomes of restorative justice (Daly 2003). In many cases, offenders are slow to repent, victims refuse to participate, and communities are largely indifferent to or unaware of the entire business. In response to these and other challenges, restorative justice programs will often adapt their practices while, at the same time, seek to remain located within a more general restorative justice conceptual framework. For example, they may choose to work with an offender who appears ready to take responsibility and change his behaviour, even without direct victim and community involvement.
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The absence of these key stakeholders may perhaps be addressed through the involvement of proxy victims (i.e., victims of similar crimes who communicate to the offender what one may experience when one is a victim of this sort of incident) or through a written statement made by the victim, and the program workers may themselves stand-in for the community, articulating the fear and distrust crime breeds. However, with these adaptations, the restorative justice program strays from Marshall’s definition of restorative justice: that is, it is a stretch to say the offence is being collectively resolved when such changes are put into effect.

Perhaps, then, a more flexible and accurate definition of restorative justice would be along the following lines: “Restorative justice attempts to address the harm(s) caused by crime in a manner that meets the specific needs of the involved parties while using the resources available.” This definition communicates the adaptability of restorative justice. However, it is unsatisfactory in that it lacks precision. What is there in this definition to differentiate restorative justice from other criminal justice practices? Do not criminal courts, at times, also fit this description? Imagine, for example, two individuals awaiting a court hearing. One, the accused, sits nervously with his lawyer, wondering about his fate. The other, the victim, is ready to serve as a witness and has prepared a victim impact statement to express the harm he suffered at the hands of the accused. The act of writing this statement has afforded him some relief, allowing him to name the confusing emotions he felt in the aftermath of the event. Then, immediately before the trial, the Crown attorney approaches the victim to inform him they are considering a plea bargain. She reports that the accused has taken responsibility for his actions, has begun alcohol and anger management treatment, and is not perceived to pose a threat to the community. The victim, relieved to see the accused is making positive efforts to change his life, as well as happy to avoid the stress of the courtroom, gives his blessing to the plea bargain (although the Crown could move forward with the plea bargain without this blessing) and subsequently leaves the courthouse feeling the matter is resolved. Is this restorative justice? If so, how is it that a restorative moment arises within the alleged adversarial environment of the criminal justice system?

One may assume that, if restorative justice amounts to anything at all, there must be something at its core that would allow us to differentiate it analytically from adversarial approaches to justice. It is not enough to say it is “informal,” “healing,” and “participatory,” since all of these aspects were present in the plea bargain example offered above. In this example, the lawyers for each party informally negotiated the plea bargain, the offender was set on a path of healing, and the victim was offered a modicum of participation. Therefore, for the sake of conceptual clarity, we must seek to identify some of restorative justice’s ideal traits. Restorative justice is:
1. **Open and Actively Participatory**: Restorative justice is open to the participation of all interested parties, although it does not mandate their participation. Moreover, this participation is active in the sense that it allows participants more than just a consultative role; indeed, they have an actual say in the process and outcomes. In the plea bargain example used above, the victim was set to act as a witness, and was later consulted on the plea bargain, but his role could hardly be described as “active” participation in the sense that he would be able to offer suggestions or information that would sway or alter the course of the justice process.

2. **Empowering**: This active role for participants is intended to offer participants in restorative justice a significant degree of ownership over the process. They play a part in determining how the process will unfold and in the decision-making that is the crux of restorative justice practice. This offers them an investment in the resolution, which ideally results in them becoming the principal agents of its implementation. Returning to the plea bargain example, the victim left the courtroom more with a feeling of relief than empowerment. He held no personal investment in the resolution, but rather merely experienced some ease of mind that his assailant was now set upon a more positive path and unlikely to re-offend in the near future. However, he has received nothing from this experience that will allow him to better manage future conflicts.

3. **Satisfying and Offers a Relational Healing Process**: Restorative justice derives its legitimacy not from state support or by achieving state-designed outcomes; instead, its primary objectives are to satisfy participants with respect to their collectively negotiated resolution and to start them on a process toward healing the harms associated with the wrongful event (Llewllyn and House 1998). In short, it seeks to give participants an opportunity to fashion something positive out of a negative event. Certainly, the plea bargain described above brought the parties a degree of satisfaction, but much of this occurred through the independent actions of the parties (e.g., the accused took it upon himself to seek help with anger and alcohol issues), rather than through a “relational” process, which refers to an interactive process that engages existing relationships, but also helps create new ones.

These ideal traits provide a basic framework with which we might assess the restorative-ness of any given program, but we still must be prepared to find anomalies. In any specific application of restorative justice, moments may arise when these ideals are unreachable or temporarily bracketed. Take the case of Don and Mary Struefert, who in 1991 lost their eighteen-year-old daughter, Carin, at the hands of Guy Sullivan and Jim Swanson in Minnesota. Guy Sullivan and Jim Swanson forced Carin at gunpoint into their van before
taking her to a wooded area where they raped and murdered her. The arrest and prosecution of the two culprits left the Strueferts feeling unfulfilled, thus leading Don to consider restorative justice as a post-sentencing reconciliation option. This means the restorative justice meetings would have no bearing on Sullivan’s and Swanson’s sentences, which had already been determined by a judge. Rather, the restorative justice program, in this case, was intended largely to allow the victims to ask questions of the offenders as a step on their personal journey of recovery. Sullivan agreed to meet with the Strueferts, resulting in some very emotional and oftentimes frustrating sessions (see the National Film Board of Canada documentary, *Glimmer of Hope*).

Returning to the ideal traits listed above, while Don maintained a largely positive attitude toward the restorative justice process throughout its course, Mary experienced moments when she felt neither empowered nor satisfied. For example, when Sullivan told the Strueferts that Carin’s last words amounted to a plea for him to help her, Mary was overwhelmed at the thought that Sullivan just stood there and did nothing, and she felt intense anger toward him. Yet, a decade after first meeting with Guy Sullivan, Mary told a crowd in Winnipeg she had forgiven Sullivan. She had only realized this when she learned Sullivan had overcome his illiteracy, and she discovered that she was, at that moment, very proud of him.

When examining actually existing restorative justice, one is confronted with the limits of such lists of ideal traits. The Strueferts experience of restorative justice can be described as open, participatory, empowering, satisfying, and healing, but not consistently throughout its application. There were moments of deep hurt before healing eventually occurred. There were times when empowerment was frustrated by conversations characterized by problematic communication, and satisfaction was not an immediate or guaranteed outcome of the Strueferts interactions with Sullivan. Of course, analytical categories, like the ideal traits listed above, are only intended as a guide to our thinking and should not be taken to be perfect realizations of the actual world, since concepts are rarely able to fully contain the complexity of social reality. Thus, to complement this list of ideal traits, and to add an important reminder of its limits while also capturing inconsistencies within actual restorative justice practice, let us try to establish some of the basic morphological properties of restorative justice. Morphological properties are so called because they alert us to the malleability and uncertain shape of restorative justice.

1. *Restorative justice is contextually specific:* it must adapt its practice to specific harm contexts rather than applying a “one size fits all” approach. “Crime” is a term with varying meanings that is used to describe a diversity of events, ranging from minor offences against property and person to massive scale destruction, such as genocide. It would be naïve
to expect we could develop a concept of restorative justice that would definitively prescribe the processes used and outcomes to be achieved in response to such a broad range of events. This is even more true, as we will see in the next chapter, for those restorative programs that want to deal with harms beyond those that are designated as “crime” (such as regulatory offences like those related to the spread of pollutants). Thus, whatever restorative justice is, it will change as it is applied in multiple and complex circumstances. Restorative justice will also adapt to specific cultural contexts with respect to both its practice and outcomes. For example, whereas certain cultural communities employing restorative justice may reject all forms of punishment (e.g., prison) as inappropriate, others may find cultural practices of punishment (e.g., banishment from the community) as a reasonable outcome for a restorative meeting.

2. Restorative justice is a process: it does not follow a pre-set linear course; instead, it is a process through which the parties are offered an opportunity to create new positive meanings out of a situation that they, in most cases, experienced as negative. Given this processual character, it is impossible to impose specific desired outcomes on restorative justice. Facilitators of restorative justice may enter restorative meetings with an ideal script in mind of how they would like the meeting to transpire — e.g., that the parties will move from describing and emoting about the events toward problem-solving — but they still must be prepared to allow this process to unfold in a winding manner, with fits and starts, progress and fallbacks.

3. Restorative justice is negotiated and can be the subject of heated debate and disagreement: it is not guaranteed that participants will simply embrace one another in a desire to resolve their conflict. Restorative outcomes are difficult to reach and often require heated negotiations to arrive at a point of resolution. This point can also be used to help us better accept the debates and disagreements that exist over the definition of restorative justice. Restorative justice, as a social movement (see below), is in a constant process of negotiating its meaning, or identity, and therefore, it is perfectly understandable that there exists no one master definition of the concept.

4. Restorative justice is a living model: it is not any unitary “thing” but, rather, a continuously evolving body of ideas intended to articulate a method of justice built upon the active participation of stakeholders. Ideally, what we understand restorative justice to be today will not be the same as what it is in the future. Preferable would be a restorative justice that has developed, reformed, and/or revised itself to meet future challenges.

A final morphological property that is true of my own ideal, but one I cannot claim to be true for all forms of restorative justice, is that restorative
justice is transformative (Morris 1994; Sullivan and Tifft 2001). By transformative, I mean restorative justice creates conditions for pursuing forms of personal and, perhaps more importantly, social change. Indeed, restorative justice should be concerned with more than just the crime or conflict that triggered the restorative justice meeting. It must be about fostering opportunities for individuals and collectives to evaluate their lives and their worlds, and to initiate attempts to bring change into these arenas: to address injustice and to improve the lives of the many. We saw in the example of the Strueferts and Guy Sullivan that the participants were able to take what was a very negative event and to fashion something positive out of it. This is not to say the positive can ever outweigh something as negative as the loss of a loved one; however, we can take a negative experience and learn from it in hopes of individual and societal improvement. Thus, restorative justice should be mobilized for purposes of transformation, whether in the form of everyday transformations, such as a commitment to greater personal literacy, or societal transformation, such as what is hoped will follow when restorative justice is employed in the aftermath of mass violence, or when people use a restorative justice meeting to discuss more broadly the social problems that affect their lives and to devise strategies for addressing these challenges. As will become increasingly evident throughout this book, my preference is toward a transformative restorative justice that reaches toward social change.

Let’s examine another example to further illustrate the transformative potential of restorative justice, but also the role of politics in transformation. The South African Truth and Reconciliation Commission (SATRC) was intended to create public awareness about the harms committed under the racial system of apartheid and to initiate a society-wide conversation toward collective healing. For years, the apartheid government had used violence and torture to suppress black South African demands for equal rights and freedom, but when victims sought justice for acts of state violence, their claims were denied. Authorities told people who lost family members, or who had themselves been seriously scarred by apartheid violence, that their complaints were unfounded. In the aftermath of such circumstances, it was believed revelation of the truth of apartheid would have a transformative effect, and the South African Truth and Reconciliation Commission was to be the primary vehicle for this transformation. It should also be noted that the SATRC was, in part, a product of a political compromise. When the apartheid government fell, and Nelson Mandela’s African National Congress was elected to power in 1994, this new government faced a tricky challenge: how could they deliver justice for past misdeeds when the people who committed these misdeeds still held a great deal of power in South African society? The civil service, the judiciary, and the military, for example, still rested in the hands of the whites, and there was a risk civil war would erupt if the new
government sought to drag too many of these people before a tribunal. Thus, although the SATRC does possess transformative potential, it, nonetheless, owes its existence to favourable political circumstances that made its brand of justice appear more palatable (Adam 2001).

In this case, we see the transformative potential of a restorative process narrowed by prevailing political conditions. This brings us to the major theme of this book: the politics of restorative justice. For restorative justice to live up to its transformative potential, there needs to be a deeper understanding of the political contexts in which restorative justice is situated and through which it operates so restorative justice may be more effectively strategized as a form of transformative politics.

The Politics of Restorative Justice

This book begins with the observation that restorative justice is a political process. Restorative justice is political in at least three senses:

1. Restorative justice exists in a political context that is, at different times, favourable, unfavourable, or indifferent to its practice, and which influences its conceptual development. Dominant political discourses and ideologies (i.e., the way the criminal justice system “thinks”), as well as institutional arrangements (i.e., the way the criminal justice system “works”), have an impact on how alternative policies, such as restorative justice, are received and implemented (if at all).

2. Restorative justice is itself a form of governance in that it aspires to change offender behaviour, heal victims, and revitalize communities (Pavlich 2005). These efforts complement governmental goals, such as ensuring social peace and minimizing costly forms of conflict. Following from this, because restorative justice can assist in the project of social control, it faces the constant danger that it may be co-opted and set to the task of reproducing dominant social relations.

3. Restorative justice needs to mobilize a politics in order to realize its broader social justice and transformative goals. Restorative justice advocates, or “restorativists,” need to become politically savvy actors who are capable of navigating the political world. As mentioned in the previous point, one danger of failing to mobilize a politics of restorative justice is that other political actors will appropriate restorative justice and employ it toward their own instrumental ends. This has been the fate of other ethically-charged notions, such as “human rights,” which, although promoted as being somehow apolitical in a pure conceptual sense, are still used by political powers to launch wars for strategic gain, such as the belated human rights justifications used to legitimize the most recent U.S. invasion of Iraq.
The purpose of this book is to move beyond outlining the justice ideals that inform the principles and practices of restorative justice and to initiate consideration of the challenges faced in implementing a transformative restorative justice under difficult political conditions. However, I should note up front that I employ a very broad notion of the political, by which I mean not just the narrow world of party politics and government, but also the politicized forces of economy, society, and culture that shape contemporary governance, as well as everyday life. The notion of the “political,” then, is here used to reference the ever-present forces of power and domination, which work to maintain and entrench the current state of affairs in which economic and cultural control are predominantly in the hands of powerful actors, such as the political, economic, and state/military elites. Moreover, I do not merely wish to address restorative justice as an “object” of politics, in the sense that it is debated by political actors looking to tackle crime or gain popular support; rather, it is my intention to treat restorative justice as a political project — as a social movement working toward important forms of social and political change.

To refer to restorative justice as a social movement (Daly and Immarigeon 1998; Sullivan and Tifft 2001; Johnstone and Van Ness 2007), is not to say that restorative justice programs comprise a unified body of actors or that restorative justice philosophies form an undifferentiated body of ideas. As was suggested above, this is clearly not the case for restorative justice, but this is also not true for most, if any, social movements. Social movements are networks in which actors with varying interpretations of what the movement is about, and different levels of commitment to the movement, negotiate the meaning of a linked set of “big ideas” as well as their ideal application in everyday life. According to Mario Diani (1992: 1), social movements are

Networks of informal interactions between a plurality of individuals, groups and/or organizations, engaged in political or cultural conflicts, on the basis of shared collective identities.

Thus, a social movement is not a single group or organization but rather a host of individual and collective agents engaged in a process of movement definition, issue or grievance articulation, activism, and program implementation. For example, within the environmental social movement, we see a number of agencies and individuals engaged in a project of articulating the dangers posed by environmental neglect and damage and proposing recommendations as to how we might rectify these problems. However, among this movement’s supporters, we are likely to find a wide range of perspectives on environmental issues. The groups under the environmental movement umbrella range from those that are quite radical, such as Paul Watson’s Earth First, to those that often seek to work in partnership with
government, such as the David Suzuki Foundation. Efforts may be initiated to create conversations across these diverse groups, but the conversations are always ongoing and never fully resolved, other than, perhaps, in the form of occasional policy or protest statements framed around a single pressing issue (e.g., the harmful effects of clear-cut logging).

Such diversity is also true of the restorative justice movement, where heated debates occur among practitioners, theorists, and agencies with respect to questions like: can restorative justice work in cooperation with the formal criminal justice system, or does it require a completely separate institutional framework? How important is the involvement of offenders, victims, and community members in restorative justice processes? Should restorative justice be defined based on outcomes or processes? Is restorative justice a set of values or practices? What sort of practices can be considered “true” forms of restorative justice? (See Gavrielides 2007: 36–43 and Daly 2006:135 for a list of restorative justice “faultlines.”) Rather than any particular answer to one of these questions being definitive of the restorative justice movement, it is the case that the process of negotiating possible answers to such questions is what constitutes the movement.

As a social movement, the meaning of restorative justice is negotiated by a group of actors that includes:

1. **Governing Authorities**: Even though they would not necessarily be considered part of the restorative justice social movement, state agencies and other governing bodies have an obvious influence on the restorative justice movement since they provide the resources (e.g., money and referrals) that make the practices of restorative justice possible. Much economic and administrative support for restorative justice programs comes from federal, provincial (or state), and/or municipal governments, each motivated by a specific set of goals, but also potentially wary of the bad “optics” that might arise from this support (e.g., if an offender who is processed through a restorative justice program recidivates by committing a high profile offence). Therefore, restorative justice agencies cannot rely on unconditional governmental support and often need to turn to non-governmental funding agencies, such as the United Way or private investors, to ensure their continued and unfettered operation.

2. **Restorative Justice Agencies**: These are the groups (both state-based and not-for-profit) that deliver actually existing restorative justice programs. Through their implementation of restorative justice, they play a significant role in defining what restorative justice is. They also face the difficult task of negotiating demands placed upon them by the governing authorities while still trying to remain faithful to the principles of restorative justice, as laid out by various restorative justice visionaries.
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3. Restorative Justice Visionaries: This is the group of often charismatic practitioners, academic theorists, and other restorative justice advocates who contribute to the discussion about the collective definition of the restorative justice movement (e.g., what are its essential values and practices? What outcomes are truly restorative?). These are the people who are seen attending restorative justice conferences and writing books on the topic, trying to convince a broader public of the benefits of the restorative approach.

4. Third Party Interests: Restorative justice is not an isolated field of justice activity. The application of restorative justice has a significant bearing on the work performed by activists and practitioners in connected areas of concern, such as victim rights, prisoner rights, family violence, and abolitionism, to name but a few. Therefore, it is no surprise that critical and/or supportive contributions from these individuals are part of the restorative justice social movement. For example, Susan Herman (2004) of the National Centre for Victims of Crime has offered support to the idea of restorative justice but also expresses reservations that it still appears to be a very offender-centred process, much like the criminal justice system. Such criticisms have contributed to debates within restorative justice about the lack of attention to victim’s needs and the overemphasis in some programs on offender reintegration, leading to attempts to define a more victim-centred model of restorative justice.

5. Stakeholders: Too often, the victims, offenders, and community members who are the primary subjects of the restorative justice movement, in that they are the ones who participate in restorative justice programs, are ignored voices within the larger movement. This should not be the case. Any appreciation for or dissatisfaction with restorative justice issuing from these stakeholders should become part of the broader discussions about what restorative justice is and should be.

It must be noted that an individual could move between categories, or find that he or she fits within multiple categories. However, despite this potential for fluidity and overlap, there are tensions existing between the categories that make it unlikely there will ever be complete agreement across the entire field of restorative justice. For example, whereas the governing authorities often seek to have restorative justice implemented in a manner that meets state goals of lowering recidivism and reducing the cost of justice, the visionaries tend to view the values and desired outcomes of restorative justice in a more holistic light, emphasizing goals such as individual and community healing. As mentioned above, restorative justice agencies must therefore navigate these perspectives, while also taking input from third parties and stakeholders.

To become a transformative social movement, restorative justice must
resist conservative tendencies within this broader dynamic. Typically, for example, governing authorities are not seeking to foment social change through their (often limited) support of restorative justice; they are invested in the status quo and see restorative justice as a means to preserve it or to modestly improve it. Thus, it is with respect to the goal of transformation that a politics of restorative justice becomes most crucial. Returning to the three senses of the political upon which this book draws, a transformative politics of restorative justice would mean:

1. **Assessing the political context in which restorative justice operates.** What are the policy rationales that guide current government and donor thinking? In this book, emphasis will be placed on neoliberal politics and the influence it has had on criminal justice thinking in contemporary societies. Like restorative justice, neoliberalism is a flexible and context-specific form of governance, but one that attempts to shape local contexts in a manner that favours the profit and mobility demands of transnational corporations and investors. Neoliberals often support competing justice strategies rather than putting all of their eggs in the basket of one justice form. For minor crimes, they turn to informal, more cost-effective measures (such as restorative justice) as a way of making offenders more responsible for their actions and therefore less prone to re-offending. However, for repeat or major offenders, neoliberals often seek to bring to bear on the offender the full might of the state, using instruments such as minimum sentences, zero tolerance measures, and other forms of “tough on crime” punishment. Under such conditions, restorative justice advocates must be sensitive to the perpetual threat of co-optation. In other words, there is concern restorative justice will be adopted and supported by state actors so they can direct it toward acting as an accompaniment to the punitive criminal justice system, dealing with only the “small fish” (Hogeveen and Woolford 2006).

2. **This leads into the second form of politics, which concerns the fact that restorative justice constitutes a form of governance.** As an approach to “criminal” justice, restorative justice offers a means for dealing with actors who violate state-defined normative standards. Thus, restorative justice is inevitably immersed in the task of governing such “unruly” individuals. For this reason, it needs to find ways to think and apply its governance in a manner that goes beyond the dictates of the state, or, once again, it faces the threat of co-optation. Resistance to co-optation involves a reflexive assessment of restorative justice theories and practices to try to establish for restorative justice a foundation that does not depend solely on governmental definitions of wrongdoing, or import government assumptions about crime and criminals into its practice.