Restorative Justice

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THE RESTORATIVE JUSTICE MOVEMENT

I believe that the restorative justice movement is a manifestation of something much larger than itself: a fundamental shift in how Western culture understands the nature of our species and the nature of the universe.

Assumptions about human nature and the universe underlie all our social institutions and all of our relationships—with self, with others, with the natural world. These assumptions shape the actions we take each day in the context of institutions such as our families, faith communities, neighborhoods, workplaces, schools, social services, and justice systems.

My friend Howard Vogel, who teaches at Hamline Law School, talks about the “restorative impulse.” This term may be more helpful than the term “restorative justice.” As my work has evolved, the scope and depth of change required for a shift toward a restorative impulse in all situations seems greater and greater. Restorative justice was never about crime for me. It was always about community and how we live with one another. However, I did not understand at the beginning how much we had to change our worldview to shift how we respond to things that go wrong.

It has taken years for some of that worldview shift to seep into my understanding—and I am deeply grateful to Native American and First Nations teachers, especially Mark Wedge, Harold Gatensby, and Yako Tahnahga, as well as Pema Chodron from the Buddhist tradition, for opening my heart and mind to other ways of relating to the universe. And I am very grateful to modern physics and biology for helping me understand how we can integrate those spiritual understandings with modern society.

I want to note here that the spiritual teachings I am talking about are not dogma. I don’t believe in any particular spiritual tradition. The concept of a Higher Being does not work for me, but I find a set of core values infusing most spiritual traditions that are the same as the values I see underlying the restorative impulse. These are the values that describe how to be in good relationship with one another. So spirituality is one

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of the ways people can relate to the restorative impulse and find motivation to act on that impulse. And there is a lot of life wisdom in many spiritual teachings.

An important shift in worldview that could move us toward daily use of the restorative impulse is the shift from seeing the parts of the universe as distinctly separate to the understanding that we are profoundly connected to every one and every thing in the universe. That means what that happens to any part of the universe will affect me—including anything I do to another part of the universe. It also means we cannot drop out, kick out, or get rid of anything. We must deal with one another and with our environment. From this worldview “getting rid of” is never a solution because we are never really rid of anything—we are always still connected. When we think we are not connected, we are often not paying attention to how the connection is impacting us.

The analogy of garbage and the environmental movement helps me understand this idea. Not that many decades ago, we “threw things away”—like tossing a bottle out the car window—and genuinely thought we had gotten rid of it and it was no longer a problem. It turned out that the places to which we were “throwing things away” were poisoning our groundwater and our soil. As one person said to me, “What we have learned is there is no ‘away.’”

Our social structures still operate as if there is an “away.” Our solution to many problems in relationships is to “get rid of.” We try to get rid of the difficult employee, we expel kids from school, we send people to prison, we cut ourselves off from those with whom we have conflict, or we move out of the “bad” neighborhood. We do all of this without looking at the systemic structure that is involved in the problem behavior. We take these actions without looking at our own part in the dysfunction. And we pretend that this solution does no harm to us. The restorative impulse requires us to look at the context of the situation, to look at our own role in harmful behavior, and to recognize that harm to anyone else is harm to us as well.

The emphasis on interconnectedness is not unique to restorative justice. There are countless other movements or initiatives for peace and nonviolence that come from the same philosophy. A contribution of the restorative justice movement is that it came with specific processes that help us to turn the philosophy into action. And it can be applied to daily life, so we get constant opportunities to practice a different way of being with one another when harm happens between us. Restorative justice turns out to be very practical as a way to promote a fundamental shift, even though it sometimes requires us to turn our habits upside down.

Another important concept of restorative justice is non-domination. The practices of restorative justice require an equal voice for all stakeholders. If you are affected by a decision, you get to be part of that decision. Decisions are made by consensus in restorative practices so one interest cannot simply be run over by another interest with a larger number of participants. In a restorative approach, we practice democracy in a fundamental way.

The use of restorative practices is currently only on the margins, but the growth is steady, especially in schools. The vision of interconnectedness and non-domination is a very powerful vision. The power of that vision, combined with the practicality of restorative practices, has enormous potential to move Western culture through a paradigm shift. Western science suggests that interconnectedness and nonhierarchical self-organization are the scientific nature of the universe. The paradigm shift represented by restorative justice is consistent with emerging science.

Human beings are genetically bound to community in some form. We evolved in community. We are programmed genetically for collective survival rather than individual survival. We need others. Current Western culture thwarts that need in many ways. There is a deep human yearning for connection and community. Restorative practices offer a pathway for shifting social structures to be more responsive to that need.

The fear of not belonging and the pain of feeling that one doesn’t belong are at the root of much violence and harm in the world. Living as if everyone belongs might be the biggest violence prevention measure we could ever devise.