NOTES FROM THE FIELD

The point and promise of restorative communities: insights from Nova Scotia

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1   Introduction

The idea of restorative cities or communities has garnered significant attention over the last two decades since the early and provocative idea planted by Dan Van Ness's 'RJ City' project. His thought and design experiment seeded imaginings of a more capacious vision of how communities might approach justice (Van Ness, 2010). It tilled the ground, making it fertile for real-world innovations including the early and inspiring effort of Hull, UK to become 'the world's first restorative city' (Mannozzi, 2019; Straker, 2019). There are now many jurisdictions set out on journeys to become restorative.

I first engaged with Van Ness's RJ City and then learned about Hull's ambition to become a restorative city in conjunction with my work as Director of the Nova Scotia Restorative Justice Community-University Research Alliance, a collaborative research initiative focused on the implications of institutionalising restorative justice (Archibald & Llewellyn, 2006).[1] The promise and potential of restorative justice at the collective level of a community or city seemed so obvious as the implication and requirement of a restorative approach to justice. Perhaps, this was because of the way I came to the field of restorative justice (Llewellyn, 2021). First, as a student considering what feminist relational theory meant for justice, I explored how restorative justice processes reflected an understanding of justice aligned with feminist relational theory. Second, my early experiences working to understand and address the requirements of justice in times of social and political transitions led me to see the promise and potential of restorative justice. Coming to the field from this theoretical and practical space, I saw the idea of a restorative city as an expression of the relational understanding of justice underpinning restorative justice and what it requires. Indeed, it oriented thinking about the political and social implications of this approach to justice in ways that were familiar during times of transition when the challenge was not merely to deal out justice for the past but to build a just society for the future.

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1   *See* www.nsrj-cura.ca.

The idea of a restorative city brought together the insights from these experiences in a way that is, I think, essential for the entire restorative justice field. The idea deserves careful attention not as a separate project or initiative or additional application for restorative practices but, rather, as part of the evolution in the understanding and implementation of restorative justice. It is about more than extending or scaling up restorative justice programmes and practices. It is the quintessence of a restorative approach to justice. Recognition of the significance of this idea for the field also has implications for the way in which the efforts and the movement towards restorative communities should be positioned and pursued. It is an important moment to ask: what is this idea of a restorative community all about? What does it require?

Of course, I do not offer a full exploration or consideration of these questions here. Instead, I add my insights along with those of others engaged in this effort as reflected in the previous Notes from the Field on restorative communities in 2019 and the other Notes from the Field in this issue. I offer six things I have come to understand through my work over the past two decades supporting the growth and development of a restorative approach to justice in my home province of Nova Scotia and my related efforts to nurture an international learning community amongst those on a similar journey.

2 Not just for cities: restorative communities

First and perhaps most obviously the work in Nova Scotia reveals that the promise and potential of this idea is not the preserve of cities. Instead, it is most important to consider where capacity lies to impact structures, systems, services and relations that shape lives. Nova Scotia is a small province of just over a million people on the Atlantic coast of Canada. Over a third of its population is concentrated in the urban centre, the Halifax Regional Municipality, and the rest is distributed across a few small cities and many towns and rural communities. The provincial government has jurisdiction over the administration of justice (although not the substance of criminal law which is the jurisdiction of the federal government), education, community services (including child protection and social assistance programmes) among other key areas of responsibility related to the well-being of its residents. In Canada, provinces establish municipalities and their powers and responsibilities through legislation, funding and programme agreements. This means that the province has a central role in relation to local matters and authorities. It became clear very early, as a small group considered the potential of the restorative city idea in Nova Scotia, that such an effort would require support and collaboration at the provincial level.

Indeed, for Nova Scotia it made sense, at least at the outset, to orient our thinking and efforts towards being restorative at a provincial level. This required a shift in scope and language from the idea of a restorative city. The orientation and intention of efforts in Nova Scotia to take an overarching restorative approach was about the nature of the province as a place where relationships of inclusion and belonging mattered. Yet, despite this we did not seek to formalise these efforts

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under the label of being a restorative province. Instead, we captured the commitment to being or becoming restorative in character around the idea of restorative community.

This is not to reject or deny the significant interest and momentum generated by the idea of restorative cities. The experience in Nova Scotia and its broader boundaries and scope does not challenge the success of this movement or the banner under which it has proceeded. Rather, it prompts us to look behind the label at the function and significance of restorative cities to affirm the meaning of the movement and its broader potential. The focus on cities has revealed the importance of recognisable bounded places where people feel connected. Also, importantly, restorative cities have the ability and responsibility to act together to affect the conditions of life. Cities, then, are an example of explicit and defined communities with acknowledged and organised capacity for collective action in support of communal living. While this is certainly true of cities it is not always or exclusively true. The use of the word 'community' then reflects the potential and significance of a restorative approach to shape this collective/communal project knowing that it can take many (often co-existing) forms including rural towns, districts, cities, provinces, states or even countries.

It is important then for restorative communities to consider where the potential lives to shape social relations. The impact of a restorative approach will differ depending on the authority/jurisdiction of a place in relation to the people who live there. For example, part of what was compelling about the example of Hull and Leeds in the UK as 'restorative cities' is that the system of governance in England rests significant power over systems and services essential to the well-being of residents with local authorities. As a result, taking a restorative approach at the level of the city can have far-reaching and profound effects on the relationships and lives of those who live there. The same is not true for all cities. For example, Canada as a federal state does not delegate power from the federal government to local authorities. Our constitutional division of powers means that jurisdiction over areas that are key to our collective well-being are held by both the federal and provincial governments. Municipalities and other local authorities too can have important roles but only as, and if, such authority is given to them by a province. The idea of restorative cities is then but one of the possible expressions of a restorative community.

What has been helpful about the term 'restorative cities' that should not be lost if speaking in broader terms of restorative communities is the connection to a political or democratic unit with capacity to shape how we live in community with one another. The idea of restorative cities signals the potential and importance of taking a restorative approach not only at a collective level but at a political level. It reflects the intention for restorative justice to inform social structures, systems and institutions. The city is a compelling example of such a place as in the idea of the *polis* – the Greek city-state. The focus on restorative *cities* then turns our attention to the geographical and political organisation of society. The shift to restorative communities is not thus a pitch to see 'restorative' as a general way of life. It remains connected and committed to the requirements of justice – as just relations – and thus to the ways in which we are connected to one another at

interpersonal and societal levels. For sure, a restorative approach to justice ought to impact how we act in light of what we expect from and owe to one another at interpersonal and collective levels. It should not, however, be reduced to an attitudinal posture or individual way of living. Rather, restorative communities are founded on restorative justice principles that inform questions about membership (inclusion), power and participation that are core to the democratic constitution and governance of communities.

3   Not about community vs the state

In Nova Scotia, our efforts to pursue a restorative approach in a comprehensive way is not about moving outside or beyond the role, reach and relevance of the state. The expression 'restorative communities' is not an attempt to focus on communities as opposed to the state. Indeed, restorative cities have drawn our attention to the potential and importance of a restorative approach to justice in shaping our public and collective lives – at a political level. In part, the transformative impact of the restorative city movement has come because the relational conception of justice underpinning it integrates the political and the personal – the public and private – relations that shape our lives. The move to consider restorative communities must not lose this insight that attention to cities has brought as, in part, political entities – connected to and part of the state. Core to the potential and promise of restorative communities is a re-visioning and transformation of our approach to collective and political life – and its implications for the use and operation of state power. This will require serious consideration and reconsideration of power and how it is shared and used by the state. Restorative communities cannot be achieved or controlled by the state but nor does it entail a rejection of the state.

Restorative communities require a more nuanced understanding of the role of the state and its legitimacy to act on our collective behalf. Restorative communities must live out a radical commitment to participatory democracy. Restorative communities (as restorative cities) are not then aimed at envisioning life without the state but at transforming the structures, systems and role of the state in service of just communities. This requires breaking down silos within and across government and community. This reflects the core restorative commitment to the principle of subsidiarity (Llewellyn, 2021; Llewellyn & Philpott, 2014) requiring inclusive and participatory governance that shares power and responsibility not just shifts from the state to community level.

Our efforts in Nova Scotia have constantly sought to foster and navigate this relationship between government and community. Efforts to become restorative have been challenging for both government and community because it requires the state to share power and work in different ways within and across government entities and with communities and community organisations. This requires the active engagement of the state in this work and that they resist the temptation to take the easier path and leave the transformative work to the community. In Nova Scotia, efforts to take a restorative approach have required constant attention to

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these power relations between government and community. Nova Scotia has recognised the importance of structured commitment to support the development and maintenance of these relationships; for example, in its approach to the governance of the *Nova Scotia Restorative Justice Program*, this is done through the creation of a committee which empowers system and community stakeholders to work collaboratively to secure this justice pathway in the province. Following the commitments made during the Restorative Inquiry for the Nova Scotia Home for Colored Children (Restorative Inquiry, 2019) the government has established a dedicated office to support the shift to be human centred through a restorative approach. This office facilitates government to relate differently to community in support of this shift to being restorative.

4   Beyond conflict resolution: toward just relations

Van Ness's RJ City imagined a city of a million people where all crime was responded to as restoratively as possible (Van Ness, 2010). Van Ness sought to test the limits of restorative justice theory. He sought to test whether through such a re-visioning of criminal justice the community might come to pay attention to the root causes of crime, develop new ways to address conflict and harm, and build a peaceful society. Criminal justice is a familiar and often fruitful starting point for broader restorative efforts in a community. This origin story has caused many to associate the very notion of restorative justice with crime and the legal system and to see the potential of restorative justice for a community as dealing with conflict and harm.

Nova Scotia's restorative journey started in a similar way to Van Ness's RJ City. Nova Scotia developed one of the first provincial restorative justice programmes in Canada. Designed in 1997, piloted in 1999 and implemented throughout the province in 2002, the *Nova Scotia Restorative Justice Program* focused on young people in conflict with the law and is now applicable to young people and adults at all stages of the criminal justice processes (Archibald & Llewellyn, 2006). Like RJ City, this work in the justice sphere was not itself transformative in the ways a restorative community intends. It did, though, reveal that the larger transformative work to secure just relations must be done beyond the criminal justice system – indeed beyond the legal system.

At first the temptation in Nova Scotia was to simply deploy processes and practices developed in the restorative justice programme in service of conflict resolution and discipline in other systems and spaces like schools and workplaces. Van Ness also contemplated this scenario as he imagined the seeds of growth and expansion for RJ City. It quickly became clear, in Nova Scotia, however, that just relations required much more than responding when things went wrong. While it was certainly helpful to build and expand upon the experiences and achievement of the existing restorative justice programme and other practices within the criminal/legal sphere in Nova Scotia, the vision of a restorative community required much more. Securing just relations required attention to the conditions that shape and support relations every day across the various contexts and circumstances in which

we relate to one another. It required attention to the very nature and building blocks of our community.

Recognition of the potential and promise of restorative justice beyond the legal system and conflict and harm became particularly evident early on through efforts to bring a restorative approach into schools in Nova Scotia (Derible, 2016; Hunt, 2019; Nova Scotia, 2023). While some initially saw restorative justice in schools as a way to make school discipline less punitive, others realised the potential for transformation was much broader and deeper. It was not only able to change the response to conflict and harm but to address the relational conditions in school communities required for students to be safe, to be well and to learn. In Nova Scotia the initial work in schools focused primarily on taking a restorative approach every day to building community in classrooms, staff rooms, on playgrounds and in the office.

This experience in schools has been as key to the vision of restorative communities in Nova Scotia as it was in Van Ness's imagined story of RJ City, albeit primarily focused on discipline and harm. It was also the starting point for Hull's vision and journey to become a restorative city, driven by Estelle MacDonald, the Head of a local primary school (MacDonald, 2016). She knew that creating a just school community could not be achieved in isolation from the broader community. Her school community – students, teachers, staff – did not exist in isolation from the wider community in which it was situated. The relationships between and among the students, teachers and parents were shaped and reflective of what was happening in neighbourhoods and workplaces and in other systems including healthcare, social services and justice. It was also true that what happened in the school community had implications and impacts for the wider community. For this reason, it was quickly apparent that taking a restorative approach in Collingwood Public School had the potential for broader impact. It held the potential to establish conditions for the city of Hull to be a just community – one founded on a principled commitment of fostering and sustaining relationships of respect, care and mutual concern not only in the places and spaces in which people learn but where they live, work and play.

While the fundamental role of such relationships in well-being and flourishing is perhaps most evident in the lives of children – who are obviously embedded, reliant and impacted by webs of relationships as they grow and develop – Nova Scotia recognised that this is true for all of us, big and small. We are relational, and fostering, nurturing, and protecting our well-being and success requires attention to the formal and informal relations, interpersonal and systemic, that shape our lives. Indeed, in Nova Scotia these insights were made clear through another early initiative which sought to address abuse and establish the conditions for safety and well-being of seniors in Nova Scotia (2012).

Thinking about a restorative approach at the holistic level of the community connected the dots between the restorative practices and processes employed in various ways throughout the province and their purpose and meaning for community. This shifted focus from what works to why it works and what it is working towards.

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The recognition that restorative communities are not only about the way communities approach conflict – that it is not limited to the justice system – does not, however, mean they are not about justice. Restorative communities move restorative beyond the limits of the justice/legal system but does not move restorative away from a focus on justice. Indeed, the relational approach of restorative justice helps us see justice is fundamentally about creating and maintaining the conditions of just relations. This is the core meaning and orientation of restorative communities. They are aimed at what is required to realise this positive and relational conception of justice (Llewellyn, 2021).

The experiences of bringing a restorative approach to schools also informed the movement toward restorative cities in another significant way. As the broader potential of a restorative approach beyond the justice system became apparent many worried that the term restorative justice would be used to further the connection between the criminal justice system and schools. The danger of this connection, particularly in the United States, had already been revealed as it forged a school to prison pipeline for many marginalised students (Schiff, 2018). Concern over the ways in which restorative justice might bring the work of the justice system closer to schools has shaped its reception. In important ways, it drove broader applications beyond the office and school discipline to the classrooms, staff rooms, playgrounds and parent-teacher associations to build school communities on the everyday and in every way. It also led many to reject the term restorative *justice* in favour of restorative *practices*. While this move was in support of the broader potential of a restorative approach beyond the legal system, it served to obscure the fact that restorative justice transforms our understanding of justice in ways that expands its purchase beyond the legal system. The move to the language of restorative practice represented for some a rejection of the purpose of a restorative approach on *just* relations and risked use of restorative practices in the service of other utilitarian or strategic objectives.

Nova Scotia has recognised that its efforts to be restorative in a comprehensive and meaningful way could not rest on the false distinction between restorative justice and restorative practice. Restorative communities are about restorative *justice* – a justice that moves beyond the legal system and into the streets, townhalls, schools, workplaces and churches where just relations are lived out. It is crucial to the transformation promised by restorative communities that this effort is built on this restorative vision of justice and not merely on the common and comprehensive use of restorative practices. Rooting restorative communities in the relational conception of justice offered by restorative justice is essential if restorative communities are to do more than address current and past injustices and to undertake the positive future-focused work of being just communities. The idea of restorative communities then challenges us to broaden our vision of justice. It invites us to engage in the justice work of creating conditions, context and circumstances for just relations.

5   About principles not practices

Nova Scotia's restorative efforts then required more than the use of a common set of practices or processes deployed across a geographical area. In our experience, simply doing a lot of restorative things will not make your community a restorative community. The core of our restorative approach rests on a commitment to justice which focuses on discerning and pursuing what justice requires of us and our community each day, beyond merely responding in the moment of injustice. This vision and commitment to just relations must orient all of our systems, services and social spaces.

What has been essential to connecting all of this work in Nova Scotia is a shared understanding and commitment to a restorative approach that is principle-based (Archibald & Llewellyn, 2006; Llewellyn, 2021; Nova Scotia, 2018; Restorative Inquiry, 2019). Instead of a shared set of practices, Nova Scotia has relied on principles to guide and facilitate a restorative approach across very different places, spaces, systems, services, programmes, policies and processes. This principle-based approach enables the development and implementation of contextual and responsive practices as part of a restorative approach across the province. It also supports connection and collaboration among those who are taking a restorative approach by enabling them to understand and reflect on each other's efforts even when and where practices and processes are very different. In Nova Scotia, this common understanding has also been essential to addressing the complex issues that cannot be addressed by siloed systems, services or responses. This recognition has been expressed in Nova Scotia as a commitment to shift and reorient our focus around the relational realities and needs of human beings rather than around the operational needs and structures of systems (Restorative Inquiry, 2019).

6   Requires making connections

The other insight gained through our work in Nova Scotia is that being a restorative community requires making connections – at all levels – in the way we view the world and each other, between issues, systems, programmes but perhaps most of all between people. Nova Scotia has the strategic advantage on this front of being a relatively small place (indeed we are a province roughly the size of the city Van Ness imagined for his RJ City simulation). This means we can know one another, find one another and are aware of our connections to one another and their significance. Yet even as a small place we face the challenge of overcoming divisions brought by silos and competition. In Nova Scotia, overcoming these divisions and building the conditions for the sort of connection required of a restorative community has not been easy. It has required investment of time and resources to build and deepen the relationships needed. It has been essential in Nova Scotia that we approach this effort guided by the same restorative principles that we hope to realise across our community. We have learned not to underestimate the value and importance of dedicating time to building and sustaining these connections.

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We have experienced how important it is to have capacity and support to convene people to find and support each other in this work. Doing this – especially initially – was made possible by creating space so that people could and would work together with less worry about turf and control. In Nova Scotia, Dalhousie University served a helpful role in this respect (Archibald & Llewellyn, 2006). First through the Nova Scotia Restorative Justice Community University Research Alliance and now through the Restorative Research, Education and Innovation Lab[2] at the Schulich School of Law, Dalhousie University, we were able to invite people from government and community and across systems into a shared space to learn and understand together and then plan and act on that knowledge to take a restorative approach in Nova Scotia. It has supported the building of connections and relationships that are foundational to a restorative community. This space has supported and sustained work from the top down and the bottom up and importantly ensured the connection and collaboration required for restorative communities (see Vasilescu this issue).

One of the most important contributions this convening work has made is to build a restorative community as a shared enterprise such that we are bound up in one another's successes and failures. The aim of being a restorative community cannot be incentivised or achieved by competition. Given the scarcity of attention and funding that has marked social innovation efforts, this issue has been one of the more difficult to tackle in our efforts to be restorative. It requires vulnerability, trust, mutual sacrifice and support across organisations and entities that is lacking across government systems and in community. Overcoming these existing patterns of relationships has required significant and ongoing attention. The insights and efforts of Canberra to prioritise regular convening of open space for connection, care and collaboration has been an important example for our work in Nova Scotia (see Hope & Northam this issue).

This brings me to the other lesson we have learned about the importance of connections for restorative communities. Nova Scotia's progress has been inspired and nurtured as part of a larger international movement. We realised early on that we needed to be connected to this larger international movement in ways that would provide supportive space for learning. Again, we found ourselves facing the challenge of overcoming the unhelpful ways in which we often connect with other jurisdictions. We wanted to avoid the temptation to promote our successes and achievements and hide our failures and struggles. We needed opportunities to learn from others in deeper ways not simply about what others were doing but about why and how what they are doing was making a difference. In short, we needed to build on our insights from work in schools. We needed to be in community with others that reflected the restorative principles we know are key to creating conditions for the learning, support and encouragement needed for our restorative journey.

In the early days of our work towards being restorative here in Nova Scotia we reached out to others pursuing this path – in Hull, Leeds, Vermont, Whanganui New Zealand, Canberra, Maine, British Columbia, and Oakland, California. We

2   *See* www.restorativelab.ca.

formed the International Restorative Learning Community.[3] We started with a simple goal as Nigel Richardson (a key leader in the early efforts of both Hull and Leeds) framed it to 'only connect' (Richardson, 2016). This purpose was deceptively simple and yet profoundly challenging. It required a core commitment to connection – to building, nurturing and sustaining it – not only as a means to an end in support of our needs but as an end in itself as well. Indeed, what we learned was that if we came together in transactional ways for the benefit of trading tricks and trades, or being a part of a network or group for recognition or pride of place, it undermined the very purpose and value of the learning community. Just as is the case for restorative communities, the medium is the message. We needed to model and be the change we wanted to see – we needed to be a *restorative* learning community (not just a learning community focused on restorative stuff). This collection of Notes from the Field and the previous ones published in this journal are important opportunities in this vein to be connecting, contributing to and supporting one another. We need more such opportunities in ongoing ways for full and frank sharing aimed at navigating the journey as restorative communities together.

7   It is something you work at 'being' not something you are

Perhaps the final and most profound lesson we have learned in Nova Scotia – and as part of the International Restorative Learning Community – is that a restorative community is not something you are, it is something you are committed to being. As such it cannot be a project to be completed or a plaque earned and hung on the wall. It is a commitment about who we are as a community that needs to shape all that we do. It is not about arriving at the destination but about the journey. As with all journeys we are oriented by destinations and need to pay careful attention to what we need to get there so I do not mean to dismiss the importance of destinations in the form of goals or projects or initiatives. But I think becoming restorative communities requires us to put these aims in a larger context as part of how we continue to travel forward together.

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3   *See* www.restorativelab.ca/about-the-restorative-lab/our-partners-and-collaborators/international-learning-community-ilc/.

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