EDITORIAL

Deepening the relational ecology of restorative justice

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It is our pleasure to introduce and frame this Special Issue of *The International Journal of Restorative Justice*. This Special Issue seeks to advance and expand thinking, research and practice of a restorative approach at the level of institutions and social systems, from families to workplaces. The articles and notes from the field included here were developed out of the 2016 International Conference in Halifax, Nova Scotia, that shared the title and focus of this issue. The conference was held to fulfil a commitment made by the parties involved in a restorative justice process at the Faculty of Dentistry, Dalhousie University, in 2015 (Llewellyn et al, 2015). As Mary McNally's note from the field (this issue) explains, the process was undertaken to deal with harms related to a private Facebook group that contained sexist and other harmful comments from a group of male fourth-year students directed at their female classmates and more generally reflecting unprofessional behaviour.[1] Many in the university, the professional and the general public assumed that the restorative justice process was focused at the level of the interpersonal relationships and harms involved in the incident. In fact, however, the process revealed and responded to the significant institutional climate and culture issues that were reflected in and structuring the interpersonal relationships involved. It also became clear through the process that examining and shifting interpersonal relationships was the key to bringing the institutional-level changes required within the faculty, the university and the profession to address the issues and harms involved and to bring change for the future. This broader focus brought by a restorative approach was surprising to many outside and even some inside the field of restorative justice. It stretched the relational ecology of restorative justice from the use of tools and practices for conflict resolution and discipline to the level of institutions and systems by attending to their relational nature and impact expressed through climate and culture.

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1 A full account of the incident and the restorative process is available in the Facilitators' Report available online at: https://www.dal.ca/cultureofrespect/background/report-from-the-restorative -justice-process.html. *See also* Llewellyn (2018).

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This insight about the significance and potential of a restorative approach gained by those central to the Dalhousie process, along with the international experts who provided advice and support throughout the process, led to their commitment to support further learning and reflection with leaders in the field at an international conference.[2] The opportunity to be part of these discussions and the workshops that followed nurtured the knowledge and reflections of those involved. The conference offered significant insights into a restorative approach to changing climate and culture in institutions and system not only in its substance but also through its approach. The conference reflected a deep and tangible commitment to the principles of a restorative approach. Most notably, the conference was designed to be inclusive, participatory and collaborative. From its inception, planning and through to its sessions the conference reflected a commitment to learn together from experience and across existing silos, sectors and disciplines. The conference brought together those from the public and private sectors, professionals from law and dentistry to firefighters, police, teachers and resource managers. It spanned disciplines from social work to education, philosophy to law, dentistry to labour relations. The conference was planned collaboratively by those from community, government and the academy. They came together across the sometimes divide between policy and practice, the academy and the field, with a view to enrich and accelerate the dynamic interplay of theory and practice essential to the task of culture change. This Special Issue deepens the reflections shared at the conference on the significance of a restorative approach for bringing about institutional change. It also seeks to capture and reflect the character of the conference reflective of the commitments of a restorative approach. This is evident in the inclusion of articles that inform and stretch our thinking about a restorative approach. Core to this approach and its potential for institutional change is a recognition of the interplay between the interpersonal and the institutional, mediated through culture within institutions that structure and influence relationships and are at the same time reliant upon such relationships. A restorative approach to institutional and systemic issues does not focus on macro-level relationships, instead of or alongside micro-level relationships, but rather calls attention to their mutual reinforcement and intersection. Herein lies the complexity of institutions and systems and the challenge of bringing change.

The inclusion of reflections 'from the field' from those actively engaged in the work of making culture change within institutions alongside those who challenge our thinking and knowledge through their research reflects the depth and interplay that was central to the conference. In this case, the Notes from the Field reflect the work of those who have explicitly adopted a restorative approach in services of their work to bring about significant institutional shifts. They are drawn from contexts and fields most closely aligned with the Dalhousie Dental School incident from which the conference arose. They help us to see the potential application through and beyond this example for schools and campuses,

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2   The presentations and exchanges from all of the plenary sessions of the conference are available at https://www.youtube.com/playlist?list=PLFcZjYDP_3PhJsPzRl8CsFapxUEuPJocp.

workplaces and professions in seeking inclusive and just climate and cultures. The Notes from the Field reflect the commitment core to the conference as it is to a restorative approach to be attentive and responsive to context and complexity. In this case the Notes from the Field demonstrate the power and potential and capture our imagination for the possible horizons of the difference a restorative approach can make. Read as a whole this Special Issue offers readers a glimpse of the vibrant and inspiring conference gathering that brought together those with common purpose to harness the potential of a restorative approach for institutional and system change.

1. A relational ecology that deepens democracy

This Special Issue also comes at a time in Canada and elsewhere in the world when the need and urgency of institutional, systemic and societal change in response to complex social problems is recognised in transformational movements across government services and in the context of the need for relational and reconciliation work in communities, states and nation to nation. For example, in the context of upholding equity and diversity in Canada, Indigenous and black people are disproportionally represented at all points in our justice system (Owusu-Bempah, 2017; Owusu-Bempah et al., 2014; Owusu-Bempah & Wortley, 2014). Canada is not alone in the disproportional representation of people of colour in the justice system and the need to attend to race relations. Michelle Alexander (2010) illustrates the extent of the problem in the United States in her book *The new Jim Crow: mass incarceration in the age of colour blindness*. In the age of globalisation, the evidence suggests that in the context of justice we have yet to institutionalise policies that value equity, diversity and inclusion.

Philosophers, such as Michael Sandel (1982/1998; 2009), have argued that race and other social identities are important histories to bring to debates on justice, democracy and civil society, in that it is important to bring our full selves, embracing intersectionality, when we debate the meaning of justice and rights. He suggests that

> we miss something of moral and civic importance if we ask people to screen out or set aside their life history, their traditions, their culture, their moral and religious allegiances. We miss something if we insist that people leave those convictions outside when they enter the public square to debate the meaning of justice and rights. (Pazzanese, 2016: n.p.)

Likewise, we invite participants' full selves to a restorative justice process. Sandel (2017) argues in delivering the LaFontaine-Baldwin Lecture on Citizenship that we have experienced a hollowing out of the public discourse, wherein we are not listening and not really engaging in the big questions of justice, democracy and equality. He argues that we need to reimage and enact the lost art of democratic argument. Braithwaite (2017: 1507) argues similarly that

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> Criminal justice seems an implausible vehicle for reviving democracy. Yet democracy is in trouble. It is embattled by money politics and populist tyrannies of majorities, of which penal populism is just one variant. These pathologies of democracy arise from democracy having become too remote from the people. A new democracy is needed that creates spaces for direct deliberative engagement and for spaces where children learn to become democratic. A major role for restorative justice is one way to revive the democratic spirit through creating such spaces.

This Special Issue explores the possibility for restorative justice to elevate a public discourse that reimagines and reinvents the terms of reference for a just society.

2. The relational complexity of restorative justice

Attention to the relational ecology that grounds a restorative approach informs the articles and notes from the field in this issue. This thread connects the articles as a common reflection point across the different institutions and issues considered. The evolution of restorative justice has been largely oriented in response to the urgent needs of individuals, groups and communities failed by the traditional justice system. This genesis has significantly impacted the understanding of restorative justice as a way of seeing and responding to crime and criminal harms. It has left largely untapped the potential of restorative justice as a theory of justice to affect our understanding of justice itself and the structures, systems and institutions through which it is pursued. It is this broader notion of restorative justice that is key to fully appreciating restorative justice as more than an alternative practice in response to harm but to reveal relational complexity in ways that are required for full and expansive responsivity that is iterative over time.

The articles and field notes in this issue reflect the rich breadth and potential of restorative justice, both in theory and practice. The articles enrich the conceptual framework of restorative justice (Burford and Goodmark), making notable contributions to specific professional fields of practice (Croker: alternative dispute resolution/criminal law/sexual violence; Pennell: social work/child protection; Llewellyn and Parker: education/citizenship). Together, the articles reflect the cross-disciplinary influence and capacity of restorative justice, enriching and responding to current social issues: equity, racism, intersectionality, sexual harm, child protection, education and citizenship. The Notes from the Field are testimonials that this rich tradition of scholarship can: lead to effective professional development and self-regulation (McNally); bridge institution security with human rights (MacIsaac and MacKay); develop whole-school culture change that disrupts the school-to-prison pipeline (Davis); empower relational leadership in areas of racism and inequity (Reade).

The restorative approach to justice that underpins this Special Issue understands restorative justice as a relational theory of justice, grounded in the complexity of social life, fundamentally concerned with just relations (Llewellyn,

2011; Llewellyn & Howse, 1998). Justice, so understood, seeks relations characterised by mutuality of respect, care/concern and dignity (Llewellyn, 2011). This approach to justice is rooted in a broader relational theory of the world as more than a factual description of the ways in which we live. In this way it is informed by and deeply resonates with Indigenous ways of knowing and seeing the world. Much is owed in the imagining and development of restorative justice in theory and practice to Indigenous law and justice ways (Ross, 1992, 1996, 2014). This relational approach is attentive not only to the *fact* we live in relation (and relationship) with one another, but that we could not be otherwise (Llewellyn, 2011). This is true on many levels, biological, evolutionary and in terms of how we know, understand and define ourselves as human beings (Downie & Llewellyn, 2011; Koggel, 1998; Mackenzie & Stoljar, 2000; Mavor, Platow & Bizumic, 2017; Meyers, 1997; Nedelsky, 2011). For example, Mavor and colleagues' (2017) edited book, *Self and social identity in educational contexts*, uses a social identity approach, drawing on Tajfel and Turner (1979) and Turner et al. (1987), to highlight the theory and practice of developing 'new and creative forms of practice in educational settings' (p. i). The book invites others to explore the 'social and psychological processes by which learners' personal and social self-concepts shape and enhance learning and teaching' (p. i). The articles within this Special Issue include and expand upon educational contexts, recognising that institutions and professions are learning communities themselves. Likewise, this Special Issue is an invitation to develop new and creative forms of engagement within the praxis of restorative justice.

A relational approach within the field of restorative justice does not see relationship as a good in and of itself, to be secured or promoted, but, rather, as a reality that must be taken into account. Relationality then must be core to our understanding of justice and injustice. Interactions and arrangements at interpersonal, institutional, systemic and societal levels will be *just* depending on how relations are structured. Restorative justice must then focus not only on particular incidents of harm or at the interpersonal level but on institutional, systemic or social injustices (Harbin & Llewellyn, 2015). It also has purchase beyond the justice system as it casts our gaze in proactive, preventative and responsive ways to the range of institutions and systems that structure and impact our relations.

Grounding restorative justice as a relational theory of justice defines and guides its application in the face of the interplay of the interpersonal and the institutional and the complexity it brings. As revealed in the articles and Notes from the Field in this Special Issue, prefixed practices are inadequate to the task of responding to different context, causes and circumstances and offering comprehensive and integrated responses. Instead a restorative approach must be driven by relational principles in its process and substance. At a principled level restorative processes are:

– *relationally focused*: resist isolated view of individuals or issues;
– *comprehensive/holistic*: take into account contexts, causes and circumstances and are oriented to understanding what happened in terms of what matters for parties;

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- *inclusive/participatory*: relational view of parties with a stake in outcome of the situation – those affected, responsible and who can affect outcome, communicative, dialogical processes that support agency and empowerment;
- *responsive*: contextual, flexible practice attentive to needs of parties;
- *focused on taking responsibility* (individual and collective) not on blame;
- *collaborative/non-adversarial*: engagement over control; moving beyond binary relationships;
- *forward-focused*: educative, problem solving/preventative and proactive. (Llewellyn, 2018; Llewellyn, Archibald, Crocker & Clairmont, 2013; Llewellyn & Llewellyn, 2015).

3. Emergent themes within the Special Issue

The following articles and Notes from the Field speak to and from this shared principled orientation and understanding of a restorative approach. The resonance between and across the articles was enriched by the opportunity for authors to engage with one another's ideas and experiences during the conference. As editors the result was quite remarkable; as we undertook the process of reviewing and editing the articles we found ourselves reading one article and noting it might be enhanced by addressing a related issue only to pick up the next piece and find it directly focused on and elaborating the idea raised by the previous one. This interdisciplinary interplay among the articles and notes marks the richness of the issue. As readers you will be drawn into the dynamic and layered relationship of issues and ideas as you read the articles individually and together, recognising that the ideas are richer in the interplay of the articles. Indeed, the relationship between the articles is at the heart of the learning. They are oriented toward deeper and richer engagement within the field and not pitched to defend or justify against the norms structuring current institutions and systems. Too often shifts in thinking are cut off or stifled by the demand to first prove an idea 'works' in practice, often insinuating current terms of success as the measure of the new. This is not the intention and focus of this collection of articles. Indeed, the primarily normative orientation of the articles is intended to support and sustain relating differently – more expansively – within and about a restorative approach.

As such the contributors were not set the task of proving a restorative approach 'works' within the current system but considered what this approach tells us about how things *should* work. The Special Issue makes the case that the significance of a restorative approach is not merely in what we *do* within institutions and systems but about how we *think* about – and *relate* to – institutions and social systems. The articles intentionally engage with what ought to be as a frame for revealing what is currently happening in systems that fall short or need to change. Each of the articles challenges old ways of thinking and current approaches to institutions and invites us to imagine what a difference a relational worldview would make. A restorative approach is central to this imagining and charting a different way. This imagining is not limited by the norms and struc-

tures of current institutions and systems nor is it divorced from the realities of the world within which they operate. Indeed, the project of restorative reimagining and reform calls for greater attention to the relational reality of the world. The articles and notes from the field in this Special Issue are not neatly divided between theory and practice because the relationality at the core of their scholarship and work applies to the way in which knowledge is generated and mobilised. Responding to Cunneen and Hoyle's (2010) assertion that restorative justice lacks praxis, the articles and notes from the field reflect the significance of a praxis orientation in the development of a restorative approach. Relational theory is deeply rooted in and reflective of experience in the world; likewise, it is understood and advanced through its application, enactment and engagement through practice in the world. Each of the articles reflects this relationality and responsivity of theory and practice.

The well-known adage 'culture eats strategy for breakfast' speaks to the relational/interactive nature of interpersonal and institutions. Just as interpersonal relationships are nested in and structured by the institutions and systems in which we live, work, learn and play the patterns of our relationships support, reinforce and reproduce the norms and assumptions upon which those very institutions and systems rely. The significance of this relationality, of these *nested* relationships (Nedelsky, 2011) results in the interactive, dynamic, layered and interwoven complexity that marks our lives and that our systems, institutions and services must confront. It is core to the complexity that Gale Burford (this issue) describes in the opening article and grounds the need for significant institutional and system reforms capable of supporting the responsivity required by our relational reality. As such, Burford's article is foundational reading for the articles and notes that follow. He casts the frame into and out of which the others speak to the implications of complexity and the significance of a restorative approach as a means of responding to issues within some of our most central institutions of family, education, justice in our personal, professional and institutional relations. The articles and notes from the field consider the implications of the recognition of relationality and its complexity brought by and enabled by a restorative approach for shifting and addressing underlying climate and culture issues that are key to securing just relations.

4.   A relational regulatory framework

This consideration of the institutional and systemic implications of a restorative approach benefits from scholarship that has widened the understanding and scope of restorative justice in relation to regulatory frameworks, particularly in the context of developing a model of responsive regulation (see Braithwaite, 2002; Braithwaite, 2016; Drahos, 2017). John Braithwaite (2011) describes the essence of responsive regulation through nine heuristics that mirror the principles and practice of restorative justice: attend to context; listen actively; engage resisters with fairness; praise committed innovation; achieve outcomes through support and innovation; signal a range of sanctions; engage wider networks; elicit

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active responsibility; evaluate and communicate lessons learnt. Responsive regulation has been conceptualised within a regulatory pyramid, leveraging a range of regulatory responses, with restorative justice at the base of the pyramid as a mechanism of informal persuasion. This regulatory framework has been adapted to a range of contexts: business, to crime, to schools. While it may be tempting to see restorative justice as a strategic practice employed at the foundation of a regulatory pyramid, the articles in this Special Issue deepen the relational ecology of restorative justice, beyond a foundational response at the base of a regulatory pyramid. A relational conceptual frame explains the deep connection and resonance between restorative justice and responsive regulation (Llewellyn, 2018).

The relational aspect of responsive regulation was recognised by Morrison (2003, 2007) and Morrison, Blood and Thorsborne (2005) in the context of regulating safe school environments and responding to bullying, violence and alienation. The model recognises the relational aspect of a responsive regulatory pyramid through three levels that build on each other: reaffirming, repairing and rebuilding relationships. This relational framework is illustrated in the field note from Fania Davis (this issue) who describes how her restorative justice work with Oakland Unified School District is structured within three tiers that work together. As Burford (this issue) recognises, Valerie Braithwaite's (2014) work on motivational postures expands the understanding of and the need for responsive and relational regulation, empirically validating why one size does not fit all within regulatory institutions, in that individuals' relationships with regulatory institutions are dynamic and relational, moving within motivational postures that signal relations within the institution: commitment, capitulation, resistance, disengagement and game playing. Further, Valerie Braithwaite's (2014) work on harmony and security values resonates with MacIsaac and MacKay's field note (this issue) that institutions can uphold security with care, both within our professional roles, such as security or human rights officer, and through collaborative processes across institutional domains, as different as security and human rights. This is another relational quality of restorative justice, in that the principles favour complexity and work across social systems within institutions.

Following this introduction, Burford reminds us of the richness of complexity, recognising that human services have long failed to be responsive to human needs, through institutionalising oversimplified cookie-cutter solutions to complex relational problems of families, groups and community. He argues for a responsive and relational regulatory framework that embraces complexity without compromising security for care, nor care for security. The relational nature of the restorative approach elaborated in this issue also deeply resonates with and draws upon feminist relational theory (Downie & Llewellyn, 2011). It is not surprising then that this issue, focused on the importance of a restorative approach for institutional and systemic culture change, should include strong contributions from a feminist perspective. Goodmark's piece, for example, responds to contemporary concerns about gender equity and gender violence arguing that the practice of restorative justice can enable and support these concerns through: amplifying women's voices, fostering women's autonomy and empowerment, engaging community, avoiding gender essentialism and employing an intersectional analy-

sis, transforming patriarchal structures and ending violence against women. McNally's field note echo's Goodmark's article through her reflections on the Dalhousie Dentistry Facebook restorative justice process which addressed gender-based misconduct while enhancing professionalism, intrinsically important to self-regulating professions.

Croker, too, takes a feminist intersectional approach to responding to sexual assault and harm on university campuses. In particular she develops an argument for the limitations of *crime logic* – proportional pain for offenders that mirror that of victims – that then erodes the opportunity for learning and growth for the individuals, departments and institution. MacIsaac, as a security officer, and MacKay, as an equity and human rights officer, provide a field note from a university that recognises that the issues they address are complex, emotionally driven, often uncomfortable for all involved with high stakes for the individuals and the institution. As professionals they find their common ground in practicing and modelling shared values that move them beyond transactional thinking to relational thinking.

Llewellyn and Parker draw on the concept of *learnification of education*, arguing that Canadian schools have defaulted to transactional, rather than relational, curricula. With the absence of relational curricula, school continues to privilege normative identities that maintain the power dynamics of the status quo. They illustrate how conflict dialogue, based on relational pedagogy, offers a path for a restorative approach that acknowledges the *who* of education enabling human flourishing. Davis shows that her work with the Oakland Unified School District amplifies human flourishing in academic outcomes and liberation, through inclusive and restorative justice practices within a whole-school model, across three regulatory tiers that build upon one another. In particular, her work responds to and deepens the relational ecology of social and racial justice. Evaluations of this work show promising results that one-size-fits-all regulatory frameworks, such as zero tolerance, fail to do.

Pennell's work takes us into complex family dynamics rich in cultural history. She too takes a feminist intersectional analysis, arguing for a child's right to participate in child protection processes, such as family group conferencing. The final field note from Reade provides a strong testimonial of the ability of a relational lens and restorative process that enables relational leadership that addresses systemic issues such as racism and inequity. Indeed, no institutional change is sustainable without relational leadership that is employee centred and that builds strong relationships.

The attention to the institutional and systemic implications of a restorative approach is particularly significant and timely for restorative justice as it is increasingly being considered, employed or deployed as part of institutional and system responses. As noted in the editorial for the first issue of this relaunched *The International Journal of Restorative Justice* 'the more restorative justice is politically endorsed worldwide, the more there is a risk of co-option, "routinisation" and standardisation' (Zinsstag, Aertsen, Walgrave, Rosenblatt & Parmentier, 2018: 6). Considering the relational ways in which institutions perpetuate and reproduce their norms and structure by resisting and absorbing attempts as

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challenge and change is key to ensure a restorative approach is not susceptible to co-optation.

Together, the articles and field notes in this Special Issue address contemporary social issues and experiences of individuals. Each article illustrates the importance of a relational analysis when responding to complex social issues, moving beyond responding to interpersonal harm alone. The articles respond to tough issues such as family violence, interpersonal violence, campus violence, deepening what it means to educate and to be professional. This is vital work for our institutions of education, from preschool to the self-regulating professions of dentistry, medicine and law. The issue considers the potential of a relational restorative approach to disrupt and re-form institutional responses that shape the power dynamics of climate and culture, with particular attention to issues of race and gender. This issue echo's Oudshoorn's (2015) reframing of Canada's youth justice system, recognising the intersectionality of race and gender, and calling for a trauma-informed approach, which 'flows from a cycle of violence theory that is one part feminist, another part anti-racist, and primarily about peacemaking' (p. 82).

This issue also echoes Gal's (2017) ecological model of child and youth participation that argues for a shift from rationality to relationality, arguing that 'children … live their lives within webs of relationships such as those with their teachers, neighbors, peers, relatives, family friends, involved professionals, and to some extent, policymakers' (p. 61). Building on Bronfenbrenner (1986; 1994), she develops an ecological model of child participation, recognising the interplay of micro-systems (parents/families); meso-systems (professional practices); macro-systems (regulatory regimes); meso-exo-macro-systems (socio-political landscapes); paradigmatic systems (universal human rights). Gal's (2017) ecological model captures and reflects the complexity that Burford (this issue) calls for in deepening the relational ecology of restorative justice.

Gal's (2017) work bridges the legal landscape of rights with the social sciences, bringing together normative and explanatory theory. Likewise, this Special Issue bridges the work of scholars from law to social work to education, together with practitioners, to broaden possibilities in law, policy and practice. Cross-disciplinary work – particularly between law, policy and practice – is essential for the culture change required to embrace these practices, understood as a shift in motivational levers that offers a distinct praxis for the regulation of safety and justice within, and across, institutions.

As was witnessed at Dalhousie's Faculty of Dentistry in response to gender-based harm, the possibility of a relational framework was realised through a paradigm shift from social control to social engagement. This shift moved from a call for external sanctioning systems – the call for punishment as motivational lever – to a restorative approach that focuses on the motivational levers of relational ecologies that expand opportunities for learning and growth at an individual and institutional level. The process began with those members of the institution most affected and closest to the harm. This enables a more socially responsive relational intervention, as compared to prescriptive disciplinary measures, wherein third parties respond to professional misconduct. A relational response deepens

the relational literacy of the culture through developing the social and emotional intelligence within the institution. As such, reason (rationality) does not trump emotion; instead, institutional safety is nurtured through finding reason for emotion (Morrison & Reistenberg, 2019; Sherman, 2003). This practice is distinct from most institutional responses which focus on establishing the facts, with little focus on the social, emotional and spiritual dimensions that make up the rich motivational ecologies within the lives of individuals and institutions through which they grow, learn and work.

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