

## EDITORIAL

# Advancing restorative justice through art

*Lindsey Pointer and Brunilda Pali\**

## 1 Introduction

Howard Zehr, an influential voice in the restorative justice movement whose well-known metaphor for restorative justice as seeing the world through a different lens referenced his practice as a photographer (1990), wrote that the intersection between justice and the arts is 'one of the most promising frontiers in the restorative justice field' (Zehr, 2014: 95). We could not agree more. In criminal justice contexts as well as in other contexts in which humans wound or harm each other, art can play a crucial role in dealing with the past and reimagining the future in ways that transcend harm and violence and work towards the reality we wish to create. As a global social movement and an alternative paradigm of justice, fundamentally concerned with transforming the way contemporary societies view and respond to harm, crime and wrongdoing (Johnstone & Van Ness, 2007) and with creating and enabling just relations (Llewellyn, 2021), restorative justice needs art to ignite the restorative imagination and to advance its practice, theory and agenda.

There are many parallels between restorative justice and art (Mazzucato, 2021; Pali, 2014, 2019, 2020; Reggio, 2021; Varona, 2020; Zehr, 2014). The restorative justice process has been described as 'the art of creative thinking', as a 'means of crafting and experiencing the mysterious art of doing justice' (Varona, 2020: 465, 468) and as being 'made of the same fabric or material as art: creativity and rigour, imagination and insight, preparation and improvisation, vocation and inclination, talent and skill' (Mazzucato, 2021: 195). Artworks themselves have been used as a metaphor for the restorative justice process and as an effective way to communicate the restorative paradigm shift (Pali, 2017, 2020). When done well, both art and restorative justice encounters can be unsettling and expanding for our views, our understanding, our affective horizon and our imagination. In art, as in restorative encounters, we are able to transcend ready-made and taken-for-granted stock stories, dangerous classifications, and oversimplifications. Both art and restorative justice create a context for communicating complex and difficult ideas and feelings. Both bring people together in a way that is distinct from normal life and contains enormous potential for connection and transformation (Pointer, 2021). This ability to allow us to experience something transcendent is crucial to the work of

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addressing injustices at every level because it opens up new ways of seeing, of being, of becoming, of relating.

In recent years, a great deal of innovative work combining art and restorative justice has emerged (see, for example, Aertsen, Daniel & Pali, 2015; Pali & Biffi, 2017; Varona, 2020). The restorative justice field has seen a proliferation of artistic representations and communications of restorative justice in the mediums of visual imagery, theatre, film, creative writing, and more as well as a greater integration of artistic modalities into the restorative justice process itself. We can more specifically refer to the REstART Festival organised in 2020 by the European Forum for Restorative Justice's (EFRJ) (see Biffi, this issue) and the Reimagining Justice Art Contest organised by the National Center on Restorative Justice in the United States.<sup>1</sup> In these examples of the intersection of restorative justice and art, we see not only how the use of art can be a great way to communicate restorative justice to the public or enable better communication within a restorative justice process but also how art can open up further possibilities for the expansion and deepening of the experience of understanding, accountability and repair, core features of the process of justice-making.

Aware of the power of art, scholars and practitioners around the world are exploring its potential to advance the restorative justice field in close and sustained collaboration with artists. This special issue may serve as a catalyst for further critical and reflexive scholarship and innovation at this intersection.

## 2 Artistic, creative and design innovation in and for restorative justice

The issue looks largely at the ways in which art supports and enhances the understanding and implementation of restorative justice and the ways in which artistic, creative and design innovations in restorative justice processes help to achieve key restorative aims such as giving voice, enabling dialogue, creating understanding, eliciting empathy, thinking differently, defying boundaries, enhancing inclusivity, supporting repair and creating community.

In the article 'Dancing the legal prohibition of restorative justice in intimate partner violence against women: Flamenco beats as encounter', Gema Varona draws on the art of flamenco as practised by a woman victimised by her ex-partner, the justice system and society, to highlight the problems inherent in the prohibition of restorative justice in the cases of interpersonal violence. A culturally rich, subversive, expressive and deeply emancipatory dance, flamenco serves here as a metaphor and a means through which to highlight important issues in relation to the experience of (in)justice in cases of interpersonal violence, such as vulnerability, voice, safety, dialogue, relationality and healing.

The limits of relying on language, and even the enhancement of disadvantages that the use of language as the main means of communication brings in restorative processes, hindering restorative justice's transformative potential, has been well documented (Hayes, 2017; Schiff & Hooker, 2019; Snow & Hayes, 2013; Snow &

1 <https://ncorj.org/art/>

Sanger, 2011; Willis, 2020). Convinced instead that ‘actions speak louder than words’, in ‘A language of convergence: the co-created handmade thing as a “conversation starter” within restorative justice processes’, Clair Aldington draws on her own art-based restorative justice practice and research to identify the most important elements inherent in the co-creation and gifting of a handmade thing within restorative justice processes. The processes of co-creation and gifting in restorative processes aid in justice-making by enabling solidarity, conversation, tangibility, new language, equalising and inclusivity.

In a similar attempt to challenge the priority of language in restorative interventions with youth in criminal justice settings, in the article ‘Our stories are bigger than our cases: digital storytelling in a restorative conferencing programme’, Jordan Morris reflects on the advantages of using digital storytelling for restorative interventions in a youth diversion programme. Digital storytelling practices engage participants over several weeks through the process of creating a digital story about themselves through the use of photographic essays, collaged self-portraits, video diaries and public art ideas. Morris finds that the creation of the digital stories promoted awareness and reflection on restorative justice concepts such as accountability, community, choice, responsibility and leadership while also allowing participants to engage in meaningful identity work and supporting critical awareness of larger social problems in their communities such as poverty and over-policing.

In the Notes from the Field piece ‘Discovering by playing: thoughts on the board game “Viaje de descubrimiento de la tierra del otro/otra”’, Guido Bertagna describes an artistic board game that was created to support young people and others in El Salvador to discover the self and the other and to build community by playing together. The Indigenous art and culture of El Salvador has been decimated by more than 500 years of conquest, colonialism, coup d’état, wars, massacres and repression, which has resulted in extreme impoverishment and violence. The incorporation of art in the concept of the board game offers a unique space to engage with concepts and feelings that may otherwise be challenging to explain or to talk about, such as issues of identity, oppression, conflict, violence and freedom. The game invites children to develop a sense of their own agency as well as a sense of social responsibility towards and with others. It also involves the desire to communicate and to share this exploration and understanding with others. The game combines verbal communication with acting, movement, song and unexpected elements to conjure spontaneity, awaken creativity, invite children to use their talents, and encourage a movement towards the symbolic and the imaginative, co-creating a new future and way of being together.

In a similar vein, in the Notes from the Field contribution ‘Unmasked stories: witnessing “Then What Might Happen?”’ Gilbert Salazar combines principles and techniques from the Theater of the Oppressed and restorative justice to engage students and teachers in storytelling practices and interactions that can be liberatory and transformative. With a tone of compassionate curiosity and a central question of ‘Then what might happen?’, Salazar shares (in the form of theatre scripts) two interactions, one between himself and a student threatening violence and one with a group of teachers learning about Affective Statements. In Salazar’s

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interactions, he demonstrates the power of the values of curiosity, possibility, attention and play. As Salazar notes, these are all values of theatre but also open up an effective container for a restorative encounter.

Combining restorative justice and art creates a powerful way to spark transformation at individual and interpersonal levels and can also create a container for understanding and responding to larger structural and historical harms. In the 'The Red Summer Project', Lindsey Pointer interviews four artists (Mashaun Ali Hendricks, Heavy Crownz, The Honorable Hakim Dough and Paris Williams), who, in 2019, set out on a tour across North America to mark the 100th anniversary of the Red Summer race riots in the United States. The interview explores how the four artists integrated music and colouring sessions with the circle process to open up a space to talk about the history of racial violence in the United States and to collectively work to create a more peaceful, inclusive and just present and future. Pointer also interviews Jayme Joyce of Local Legend Films in Chicago, who made a documentary about *The Red Summer Project*. Joyce's approach to filmmaking is grounded in the restorative justice philosophy, intentionally taking a relational approach to interacting with the subjects of her film and to telling the story, rather than being the detached observer behind the camera.

Communities that are built around free and innovative creative practices can also be harmful and harming communities to their members. In the Notes from the Field piece 'Restorative justice on/off stage: mobilising fringe towards communities of consent', Thea Fitz-James explores the importance and possibility of applying restorative justice principles and practices in creative communities, more specifically among Canadian Fringe communities. Fitz-James wonders how restorative justice might be embraced in order to create communities of accountability that address occurrences of sexual assault and rape on the fringe. At the same time, the author also reflects on the ways in which theatre, play or performance as applied in fringe festivals can invite truth-telling and accountability within communities and transform sexually harming communities into communities of accountability and consent.

Community accountability and transformation is inevitably linked to places and spaces. In 'Participatory restorative justice design: creating space for restorative justice by centring the voices of those impacted by harm', Barb Toews, Deanna Van Buren and Garrett Jacobs reflect on questions of space design and restorative justice. The authors claim that 'design matters to restorative justice', as without dedicated investment in restorative justice spaces, restorative justice processes are meant to take place in the existing criminal justice spaces that are designed as punitive and adversarial. Building on a rich theoretical and empirical knowledge about healing design and on the practice of Designing Justice+Designing Spaces, an architectural and real estate development firm that designs and constructs infrastructure, buildings and other spaces for restorative and social justice with and for communities of colour, the authors reflect not only on what restorative justice spaces would entail but also on restorative justice design processes more generally. Through a variety of design tools and case studies, the authors illustrate how restorative design processes could be participatory and engaging; centre the

needs of their stakeholders; and design outcomes of healing, harm repair and community justice.

The use of the arts has been especially promoted and advocated in the emerging field of environmental restorative justice (see Pali et al., 2022). In the article 'Can art convey a victim's voice to future generations? A case of Minamata disease in Japan', Orika Komatsubara explores the ways in which communities can pass on traumatic memories to future generations in the aftermath of social and environmental disasters in ways that are restorative and transformative. The author argues that centring victims' voices and non-human voices through artistic expression is crucial to bridging dialogue between generations and species in the aftermath of such disasters. In the Notes from the Field piece 'Designing an art-based restorative response for river Zenne', the authors Brunilda Pali, Maria Lucia Cruz Correia, Marine Calmet and Vinny Jones, who are members of a multidisciplinary collective of artists, activists, social scientists and legal practitioners, elaborate and reflect on the latest artistic research collaboration that they have co-developed to respond to environmental harms and ecocide. The collaboration, led by environmental artist Maria Lucia Cruz Correia, rests on the pillars of ecocide recognition, rights of nature, guardian of nature, climate grief, restorative justice and artistic and sensorial practices. Meeting each other on the terrain of imagination, the authors argue for the need to co-cultivate their right, duty and power to imagine different ways of living together with the earth, with other humans and with more-than humans, ways that are more just and ethical.

In the Notes from the Field piece 'REstART – The restorative justice art movement', Emanuela Biffi gives a brief history and context of the engagement of the restorative movement with the arts and reflects on some of the works that were presented in November 2020 during the arts' festival on the themes of justice, solidarity and repair in the aftermath of personal and societal trauma, conflict and harm organised by the EFRJ. Noting the great potential that the arts have in advancing restorative justice, the author writes

these artworks are great means for awareness raising and educational purposes, conveying the principles and practice of restorative justice to people in a much more effective (and affective) way than statistics and reports.

For this special issue, Albert Dzur holds an artful conversation with Sharon Daniel, a digital media artist and a professor in the Film and Digital Media Department and the Digital Arts and New Media MFA programme at the University of California, Santa Cruz. Daniel creates interactive and participatory documentary artworks addressing issues of social, racial and environmental injustice, with a particular focus on mass incarceration and the criminal justice system. In the conversation, Daniel shares the fascinating stories behind many of her digital media pieces, including *Inside the distance*, a piece on restorative justice.

The issue concludes with two reviews. The first is a review of the edited collection on art, prison and restorative justice – *Arte en prisión: justicia restaurativa a través de proyectos artísticos y narrativos* – edited by Gema Varona and published in 2020. The review by Claire de Mezerville Lopez provides an enticing overview of a

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book that aims to capture the wide-ranging forms and impacts of arts in the prison context. The book is a collection of chapters by different authors, woven together to show the applicability and impact of arts in confinement, a place in dire need of restoration and transformation. The second contribution is a film review by Marlies Talay, who reviews three films on restorative justice, all of which take place in the United States: *Mass*, a fictionalised story; *Another justice*, a documentary focusing on three different stories of loss; and *Circles*, a documentary that takes place in a school in Oakland, California. Talay finds all three films to be an effective and emotionally evocative way to communicate the power and impact of restorative justice, paying particularly close attention to the compelling and difficult-to-describe emotional dynamics demonstrated through the film *Mass*.

### 3 Conclusion

The contributors to this special issue have together painted a picture of the many ways in which art is already advancing the restorative justice field. We have seen how the integration of art and artistic processes in restorative justice can enhance the impact of restorative justice on participants by encouraging restorative values and aims in a way that is not restricted (or limited) by verbal communication alone and contributing to the emergence of accountability and repair. We have seen how this positive impact of integrating art is apparent in restorative encounters between individuals and communities and in responding to broader structural harms and injustices. Through the work of these authors, we have also seen the crucial role that art can play in advancing public knowledge and understanding of restorative justice.

Further research is needed in order to better understand the full extent of the social impact of these efforts to integrate restorative justice and art. How might the public's perception of the meaning of 'justice' shift through creative communications? How might the integration of artistic modalities make the positive impacts of restorative encounters accessible to more people? How might art deepen the justice-making work of restorative encounters? Our hope is that this special issue will spark further interest from researchers and practitioners in this 'most promising frontier'.

Restorative justice is now best understood as a social movement, and social movements are fuelled by imagination; the collective ability of a committed group of people to imagine a better future towards which to work. This is, at its core, a creative act. In moving the restorative justice movement forward, art may be our most fertile soil.

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