

## BOOK REVIEW

**Grazia Mannozi and Roberto Mancini, *La giustizia accogliente* [A welcoming justice], Milano: Franco Angeli, 2022, 265pp., ISBN: 878-88-351-1954-8 (pbk).**

‘I think that we are at the beginning of a new era in the history of the idea of justice,’ said the former Italian Minister of Justice, Marta Cartabia, during her eloquent speech at the opening session of the European Forum for Restorative Justice’s 11th International Conference in Sassari (23 June 2022):<sup>1</sup>

After two years of pandemic, in the middle of a war, and in the aftermath of decades dominated by an extreme individualistic culture, restorative justice offers all of us the response that we are looking for, fit for the relational character of the human experience, where the other is not bound to be an enemy, a rival or a ghost, but is part and parcel of the experience of the self.

How the ‘relational character of the human experience’ is inherent to the restorative justice approach is one of the core reflections in the book *La giustizia accogliente*. The book reflects the results of the journey of a jurist, Grazia Mannozi, and a philosopher, Roberto Mancini, into the language of restorative justice: a journey aimed at understanding the profound meaning of restorative justice as well as its transformative force. This journey towards a justice, which the authors described as *accogliente* (welcoming<sup>2</sup>) before being restorative, is marked by a sequence of keywords discussed by the authors, one in each chapter.

The journey starts with the authors reminding us that restorative justice was born as *relational justice* that involves the *community* in the management of conflicts. It uses *dialogue* as a tool for mediating conflicts with the aim to repair the harm. This allows the parties to recover the *ability* to speak and listen to each other, to recognise *responsibilities* and needs; thus, it promotes paths for *reconciliation*. The salient feature of the reparative approach is the *care* for the quality of the interaction between the parties involved in the conflict. This implies taking care of the *truth*, the narratives, the facts and the consequences resulting from a crime. Under these conditions, *inclusion* becomes a viable path and restorative justice appears capable of having an effect on the conflict and, more generally, on doing justice. The journey through these identified keywords of restorative justice – relationship, community, dialogue, ability, responsibility, reconciliation, care, truth, inclusion and transformation – concludes in the final chapter. It encloses and summarises the direction of the journey in the justice-democracy-sustainability triad, in which a model of justice is outlined. A model of justice that can

1 Excerpts of her speech can be watched here: [www.youtube.com/watch?v=wtmc3ceSQXc](http://www.youtube.com/watch?v=wtmc3ceSQXc).

2 The Italian adjective *accogliente* does not find a fully adequate translation in English. The more common translation could be ‘welcoming’, but it does not present its full rich meaning that includes other English terms such as ‘friendly’, ‘pleasant’, ‘cosy’ and, as for the verb *accogliere*, ‘to receive’, ‘to accommodate’, ‘to hold’ ‘to accept’. Thus, we prefer to maintain the Italian word in the text.

combine democratic identity and sustainable practices: the horizon for a more inclusive, reparative justice system, that is, the *giustizia accogliente*.

Throughout the book, the jurist and the philosopher enter into a dialogue with each other to describe these keywords, first under a juridical profile and then under that of cultural value and sense. Each chapter immerses the reader in the depth, ancestral meaning and sense of the identified keywords of restorative justice. The authors touch upon philosophy, religion, mythology, symbolism as well as upon key international legal and policy documents, encompassing a variety of ideas and concepts.

Naturally, we cannot dwell, as it would deserve, on all the keywords that punctuate the book and on their meanings. But some common threads emerge while reading the book that seem to cross all stages of this journey and accompany the reader in the understanding of the meaning of *giustizia accogliente*. The meaning of 'recognition' is one of these common threads and seems to be a central feature of each of the discussed keywords. We could even identify recognition as their ultimate goal and as an additional keyword of the journey into the language of restorative justice. The 'recognition of the other as a person'

allows that the story of the other becomes the missing tile of their own story, that permits not to accept but to understand the past ... through which derives the possibility of reconciling oneself, at least in part, with one's past. (124)

As for Paul Ricoeur (2005), the recognition makes equal what the crime renders unequal and helps to give 'sense' to the past. The authors of *La giustizia accogliente* point out that the recognition of the other as a person means the recognition of the human dignity of the other, a recognition that is made possible through each of the keywords of restorative justice: 'recognising the other means understanding the value of a complex figure, made up of humanity, inalienable dignity, existential uniqueness and an indispensable relational dimension' (148). This appears to be the essence of the *giustizia accogliente* that is revealed as a justice approach able to welcome ('accogliere') the humanity of the person by taking their differences into account and which enables to 'regenerate the recognition' (37) of the person's dignity. Indeed,

the '*giustizia accogliente*' is not permissive but human, centred on the care of ties and, primarily, on the dignity of persons ... A justice finally addressed to everyone, in a fair and dignified way, such as to operate a cure capable of universality, not unbalanced on individual interests' (232). Finally, a justice approach that prefers 'the needle that sews to the scissors that separate' (31).

As a further common thread, for most of the keywords the authors explore their impact at the micro or individual dimension, at the meso or interpersonal dimension, as well as at the macro or collective and societal dimension, thus showing the powerful transformative force of restorative justice in all levels of human relations. For example, they discuss the transformative effect of restorative justice not only on single and collective conflicts but also on the interrelation

Laura Hein

between restorative justice and the criminal justice system and, ultimately, on the idea of justice. Indeed, throughout the book, the authors reflect on the tension and interrelation between restorative justice and criminal justice. By presenting criminal justice as a tool and restorative justice as the essence of justice, the authors conclude that the *giustizia accogliente* is based on the need for a virtuous interaction and complementarity between criminal and restorative justice, capable of promoting a gradual transformation of the criminal justice system. The complementarity resides in the fact that restorative justice promotes the humanisation and regeneration of the penal system through a ‘transformative complementarity’ (95) able to promote a cultural and epochal transformation of the idea of justice. The authors further explore how this transformation could take place, imaginable at three levels – namely, linguistic, regulatory and institutional.

As pointed out in the preface, written by Marta Cartabia, the former Ministry of Justice of Italy, and Alessandro Baro, her chef du cabinet, the book was published in a fortunate time convergence with the introduction of a comprehensive regulation on restorative justice into the Italian justice system. This time convergence is even more fortunate if we consider the unanimous adoption of the Venice Declaration on the role of restorative justice in criminal matters,<sup>3</sup> during the Conference of the Ministers of Justice of the Member States of the Council of Europe, held in Venice (13 and 14 December 2021) during the Council’s Italian Presidency. The Venice Declaration presents another milestone in the development of restorative justice in Europe as the first international document that reflects on the idea that a universal right to access restorative justice services should be a goal of the national authorities.

As envisaged by Marta Cartabia and Alessandro Baro in the Preface, the hope is

that this temporal coincidence [i.e. of the publication of the book] will help to build and to increase a new culture of criminal justice that can write a new chapter in the centuries-old history of the idea of justice and its exercise. (9)

The book presents a profound exploration of how language shapes our understanding of restorative justice and its transformative power. This journey through the keywords and meanings of restorative justice is aimed at all people who, for various reasons, wish to approach restorative justice, are interested in the future of criminal justice and are willing to rethink the basic idea of justice. The book also presents a very valuable source of inspiration for restorative justice professionals and activists, since it reminds us of both the profound human and

3 The Declaration can be retrieved from <https://rm.coe.int/0900001680a4df79> (last accessed 23 May 2023).

universal value of restorative justice, even more so revealed in its dimension of 'accogliente'.

*Laura Hein\**

## References

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\* Laura Hein is Policy Officer at the European Forum for Restorative Justice and Teaching Assistant at the Leuven Institute of Criminology, Katholieke Universiteit Leuven, Belgium.  
Corresponding author: Laura Hein at [laura.hein@euforumj.org](mailto:laura.hein@euforumj.org).