

BOOK REVIEW

Daniel W. Van Ness, Karen Heetderks Strong, Jonathan Derby and L. Lynette Parker, *Restoring justice: an introduction to restorative justice* (6th ed.), New York: Routledge, 2022, 240 pp., ISBN 9780367740795.

Many of us know the contributions that Daniel Van Ness and Karen Heetderks Strong have made in the past 30 years while searching for alternatives to punishment and whether these meant discussing viable theoretical concepts, applicable criminal justice policies or certain practices aiming to help people affected by crimes towards healing and reconciliation. Their introductory work, entitled *Restoring Justice*, was first published in 1997. It provided a thorough overview on restorative justice from all the above-mentioned angles. Now we can read already the sixth edition of their original work. It means that the authors – together with two newly joined contributors from, as they say, the ‘next generation of scholars’, Lynette Parker and Jonathan Derby – have revised and updated not only the state of affairs of restorative justice all over the world but also their overview on the rapidly changing, wider social contexts into which this concept has been integrated in these last decades.

The revision in this context means much more than updating the list of certain programmes or policies. From time to time, we need to raise questions, such as: what do we perceive as a crime? What are the key responsibilities, principles and objectives of governments and societies while responding to these incidents? How do we achieve these aims, if we do, at all? And by looking at the reality of our current criminal justice systems through a critical lens, how shall we deal with all the harm, pain and trauma that are in fact resulted by the systems that aim at doing ‘justice’? In other words, how can we counterbalance all the negative effects that the so-called contemporary justice systems may cause and what are the ways of building and sustaining legally safeguarded and restoration-oriented systems that not only respond to crimes effectively but also provide (some) healing and peace for affected individuals, their communities and the surrounding societies?

In under 150 pages,¹ this book provides a thorough overview of early thinkers and ideologies shaping the evolution of modern criminal justice systems while it creatively integrates the roots and possible places of restorative justice into them. The discussion of past and present leads to a future vision of the authors: namely, how the restorative approach may become *the* primary concept of our response system to conflicts and crime and what steps need to be taken in this direction.

In the first two chapters, the book starts by discussing how the *relational* and *personal approaches to justice* of ancient societies gradually disappeared and how our governments got into the centre of our justice systems, leading to impersonal, bureaucratic systems and mass incarceration. It is followed by a discussion on the origins and concepts of restorative justice (with special regards to its Indigenous roots) as a viable alternative to offender- and punishment-oriented systems.

1 This is the length of the main text that is extended with highly useful appendixes.

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Chapters 3 to 7 discuss in more details the importance of the four ‘cornerpost values’ (inclusion, encounter, repair and cohesion) in criminal justice processes and the opportunities and limitations that the current systems offer to represent these. In each chapter, we can read a detailed overview and specific examples on how certain restorative justice-oriented policies, legislations, programmes and practices did evolve in the United States and beyond.

Throughout these chapters, the reader gains a picture about the interconnections of philosophy, legislation, policies and practices. These chapters illustrate well that the implementation of restorative programmes is inevitable, if we envisage a society in which exclusion is minimal; civic engagement is maximal; victimised people would have the chance of receiving support for their healing; those who caused harm would be encouraged to make amends; and communities would have the chance to reintegrate their members. Furthermore, these chapters describe how we cannot deal with these target groups separately from each other: they are all intertwined, and their interests are far from mutually exclusive. On the contrary, well-founded restorative programmes can have the potential to serve all these aims, without the need to compete.

Chapter 8, 9 and 10 discuss the challenges, the various ways in which the restorative approaches can coexist with contemporary justice systems, and the key steps that are necessary to transform our systems to become restorative. In Chapter 8, the authors present a highly thought-provoking typology for the possible ways in which the contemporary and the restorative justice elements can coexist in the conceptual, legislative and institutional contexts. Starting from a kind of minimalist solution towards a maximalist concept, we can read about the following five system types (110-113, italics added):

1 In the so-called Augmentation Model the ‘restorative processes provide *alternatives* to contemporary criminal justice processes’ (110) – this model is the reality right now in most of the countries that apply restorative programmes.

2 The Safety-Net Model suggests that ‘*all cases are handled restoratively*, and contemporary justice would serve as a *safety net* when restorative approaches cannot or do not bring about resolution’ (111).

3 In the Dual-Track Model, *parties choose or take part in the decision* whether to take the restorative or the contemporary justice track.

4 The Hybrid Model *primarily applies the contemporary justice processes*. However, at certain points (when predefined conditions are met) *parties are automatically transferred* into restorative processes (e.g. sentencing courts in Australia after the accused is found or pleaded guilty).

5 Finally, in the Unitary Model, the *restorative process is the only available route*, meaning that all crimes and stakeholder interests are addressed as restoratively as possible.

Needless to say, this latter concept raises several questions and challenges, such as: what to do with those not pleading guilty, how to stay authentic to the underlying principles of restorative justice in such a broad implementation process, how to ensure the legal safeguards for all stakeholders, how to guarantee a nationally standardised practice as well as the necessary capacities required to run the various services and so on. These chapters suggest some practical, policy-related steps to be taken to meet some of these challenges.

The last chapter concludes by highlighting that transformation needs to be achieved 1) in the patterns of our thinking in *perspectives*, 2) in our current social *structures* that lead to the many imbalances, inequalities and disparities serving as underlying causes of crimes, as well as 3) in ourselves as *persons* in order to be able to better incorporate the concepts of reconciliation, forgiveness and healing as overall objectives of our actions.

In their foreword, the authors state that ‘we recognize that in looking at restorative justice, we bring our own lenses as White, privileged men and women’ (xii). This statement shows the humbleness with which the authors discuss all these themes and refers to the culturally sensitive nature of how we perceive crime, conflicts, justice, restoration and so on. However, I do not think that the mind-set that this book offers is primarily shaped by its authors’ ‘whiteness’ or ‘privileged’ status. Rather, my feeling is that, on the one hand, the entire book is more shaped by their underlying belief in the original ‘goodness’ of the human being and that they really understand and could perceive what deliberation might mean in real life, thanks to their country of origin, namely the USA, having a relatively long history of *democracy and civic engagement*.

This book envisages a society in which social responses to crime primarily build 1) on people’s ability and willingness to take (at least some) responsibility for their acts, 2) on victimised citizens’ readiness to express their needs and to actively take steps towards their own healing process, 3) on communities’ (some level of) openness towards giving another chance for those who have done some wrong in the past and, finally, 4) on leaders who may put their individualistic, ego-centric agenda behind and, instead, decide to represent the ‘communal good’ by educating and motivating citizens towards reconciliation, even if such an agenda may cause significant resistance and decrease of their popularity on the short term.

The writer of this review is coming from a country that has a much shorter history of democracy, where the level of civic engagement into public issues is much newer, and still new to many; where civil society is much more fragile; where governmental officials and even many NGO representatives often focus merely on their short-term individual benefits; where corruption is part of the ‘normal operation’; where citizens have never really been able to openly talk about their own and their inherited traumas from the last centuries, not to mention the lack of any restitution and reconciliation steps that could have served their healing. All these anomalies can lead to a high level of abusive conduct in the micro (families), mezzo (community-level) and macro (societal) contexts.

While the main message of this book – that is, widening the concept and the application of restorative justice as much as possible – is an unquestionably essential vision even for a country with that many anomalies, there are emerging

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questions in this process that the book does not really discuss: what to do with those people and groups whose intent is to do harm and abuse their power, regardless of the ways in which our systems respond to it? What to do when decision-makers and government representatives of a society do not give priority at all to the very values that were described in this book? What to do when the main harm-causers of a society are the very people who should initiate and conceptualise the legislative and institutional reforms suggested by this book? What to do when entire parts of a society are put on shelves, when large populations inherit transgenerational unemployment, face lack of schooling, choose the use of cheap substances as much as possible to avoid feeling the pain of their everyday life – all leading to a lifestyle in which constantly committing crimes becomes the normal? When is supporting victims merely a rhetorical term, when, say, in practice, there are hardly any NGOs or any statutory agency that victims could turn to for meaningful support? How could the restorative values and possible action steps suggested in this book be represented in such a context?

I am aware that it would not be fair to expect answers to these questions from this book. However, I find it important to acknowledge that many countries on the globe do suffer from these anomalies and the voice and space for any restorative-minded leader or civil stakeholder is much smaller in such contexts, if there is any, at all. Having said that, the book *Restoring Justice* provides a source of inspiration and is full of practical advice and factual background and can serve as a source of hope and energy for actions by any scholar, researcher, policymaker, practitioner, learner or any visionary citizen, who wish to think and act towards peace, healing and inclusion.

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