

ARTICLE

# Situating restorative justice in a multicultural, pluralistic, and dynamic world

*Thalia González and Mara Schiff\**

Restorative justice globally continues to fascinate and engage government officials, non-governmental organisations, civil society actors and academics alike, and with good reason. From its historical Indigenous roots to its initial Westernised interventions in the 1950s to the provocations of the 2000s, examinations of restorative justice have elucidated its dynamic nature and responsiveness to the plurality of local and global community needs. The richness across and within the field of restorative justice is a result of evolving relationships between theory, practices, processes and worldviews of normative change grounded in various movements that reflect human interdependence. Recognising the evolution of restorative justice over more than six decades – and waves of tension that have arisen between its ideal and localised versions – this article serves as an intervention and provocation sketching an alternative response to Walgrave’s query in this issue of *The International Journal of Restorative Justice* about the proper location of restorative justice. We contend there is no criminal-legal universalism for contemporary restorative justice, nor is a movement towards this desirable for charting its future.

## 1 Introduction

[F]or restorative justice to live up to its transformative potential, there needs to be a deeper understanding of the political contexts in which restorative justice is situated and through which it operates (Woolford, 2009: 18).

In his article, ‘Concerns about the meaning of “restorative justice”. Reflections of a veteran’, Lode Walgrave (this issue) takes up what he perceives to be a critical issue – the impact of significant innovations and focal shifts in the field of restorative justice since the 1950s. He argues it is a mistake for the academic field to understand restorative justice as more than a delineated concept and particular modality for responding to crime, as to do so risks it ‘sinking down’ into a ‘broad, vague, and

\* Thalia González is Professor of Law at the University of California College of the Law San Francisco, San Francisco, USA. Mara Schiff is Associate Professor of Criminology and Criminal Justice at Florida Atlantic University, Boca Raton, USA.

Corresponding author: Thalia González at [gonzalez@uclawsf.edu](mailto:gonzalez@uclawsf.edu).

The authors reject the hierarchy of academic publications which presumes primary and secondary status and contribution as indicated by author name order. The authors contributed equally and fully in partnership to this article.

confusing movement without credibility' (Walgrave, this issue). We reject this model of ideological retrenchment and contend that if the field of restorative justice – distinguished by us as *inclusive* of all impacted people and communities, non-governmental organisations, civil society actors, government officials and not merely scholars – is to contemplate the future, it should do so with the intentional aim of moving more fully towards positive justice norms and political demands for change. Thus, in our view, the central issue raised by Walgrave is not one about definitional abstractions but rather the need to intentionally shift our collective understandings beyond the insularity of academia and reminiscences on the past, and instead towards a vision for a just and expansive future including and beyond criminal legal systems.

With this temporal and political nexus, a central claim of this article is that restorative justice should be dynamic in its adaptations, growth and existence within movements that challenge economic, political, social and legal regimes of oppression. As such, rather than suggest that restorative justice be located as a homogeneous project inside the criminal legal system, as suggested by Walgrave, we believe that it must be understood in the following manner. First, as an indispensable ecosystem for synergies, collaboration and competition among multiple sociopolitical projects whether that be in criminal legal, educational, municipal or other relevant environments. Second, as an intrinsically Indigenous, non-Eurocentric way of addressing harm and interpersonal relationships that has been adapted to fit Western normative models of approaching culture and conflict. From this vantage point, the vernacular and expression of restorative justice should no longer be owned by a select few but rather dispersed across the many. Such observations, or, more appropriately, claims, raise a host of questions in which we are deeply interested but recognise must fall outside the directed response necessary for this special issue. That said, we would be remiss not to elevate a few of them here and save extended discourse for future work. First, we ask a structural question: how can restorative justice research and practice be further untethered from the state? Put another way, how can the restorative justice field understand and accept that research must move beyond privileging state centrism and also elevate how it challenges structural control apparatuses? Second, we contemplate the role of scholars: how can scholars contribute to shaping a more inclusive and meaningful account of restorative justice, in particular as it acts to counterbalance growing global retributive and authoritarian currents? In this vein, we inquire, what is necessary for scholars to move past historical assumptions and disciplinary silos that create insularity, and in our view, limit a pluralist vision of restorative justice? Last, and related to all the foregoing, we are interested in how academic intersections can engage and support emerging localised and activist formulations of restorative justice and how those might lend themselves to research.

Turning back to the intent of this special issue and Walgrave's article as a discursive motivator, we must directly and meaningfully disagree with his central concern, and many of his claims, but wish to align with the following point – there is not, nor should there be, a perfect definition of restorative justice. Instead of seeing this as problematic, as does Walgrave, we embrace this as a natural state of organic evolution that invites various exciting empirical and theoretical

possibilities. We point to, for example, the work of Mariame Kaba (2021), Fania Davis (2019), Jennifer Llewellyn (2021), Edward Valandra (2020), Giuseppe Maglione (2019a), Rochelle Almengor (2020) and others as examples of what has been possible since the 1950s. Each of these field innovators and scholars has defined and redefined restorative justice, from which the field has both benefited and expanded. And, to be clear, the fact that their work does not emanate from a homogeneous view of restorative justice as a crime intervention makes their findings and claims no less sound but rather the opposite. It enhances and amplifies curiosities into the nature of restorative justice. Nor has the infusion of new identities of researchers diminished the field's fidelity. Restorative justice research benefits from its movement beyond a traditional archetype of researchers whose privilege – occurring through identities of class, race, gender, socioeconomic status, etc.– prescribed a limited blueprint of study. As authors whose identities as an Afro-Puertorriqueña and second generation Jewish-American woman would have precluded our existence and relevance in the field of restorative justice at the time of its 'launch' by Albert Eglash (1957, 1958, 1959), we wholly decline any invitation to use scientific clarity as a justification to limit the identity of restorative justice scholarship, practice or ontology (Walgrave, this issue). To do so would reify long antiquated white supremacist perspectives, all of which shaped the very system into which Eglash's restorative justice first sought to intervene.

We join with others in this special issue's aim, whether understood in narrow or broad constructions, in pushing the field to explore how restorative justice contributes to a more textured, dynamic and critical understanding of the promise and pitfalls inherent in myriad expressions of justice. Whether one views it exclusively through an academic or activist lens (or hybridity of each), restorative justice as a field is imperfect, and no amount of a scientific sheen can smooth this over. We, however, believe this is to be celebrated as an indicator of healthy evolution. This is not to say research does not matter. In fact, as we highlighted previously, research and scholarly engagement matters significantly, but our commitment is that it does not become activated as a formulation of retrenchment or deployed as an oppressive mechanism. There is no reason to think that the work thus far by academics such as Winn (2020), González (2019), Walters (2020), Tauri (2022) and Gal (2020), who employ empirical and theoretical research methodologies, have failed to respond to definitional ambiguities or to address complexities in study design in the absence of homogeneity.

In crafting a future-looking vision of restorative justice, we use the remainder of this article to attend to three areas, all of which have been resonant in our prior works. We have independently questioned the identity of restorative justice and come together here to explicate a shared perspective for the potential of restorative justice. Ultimately, we contend there are key normative goals of the restorative justice field, and we reflect on three herein.

Beginning with a brief discussion of norm entrepreneurs (González & Buth, 2019), we argue that Walgrave and others similarly situated to him, such as John Braithwaite (1989), Gordon Bazemore (1998), Gerry Johnstone (1999), Ivo Aertsen and others (2004), Mark Umbreit (1998) and Howard Zehr (1990), have an affirmative duty to take responsibility for how they can (and have) influence(d)

the field and the scholarship of those who follow in their footsteps. As the work of Finnemore and Sikkink (1998) has highlighted, norm entrepreneurs are formative in the norm emergence cycle. As early academic orators in the restorative justice field, Walgrave and others have all framed and named restorative justice as a 'normative value, aspirational goal, and operational practice' (González & Buth, 2019: 248).

Second, we turn directly to the language of restorative justice and assert that the language we choose is significant, and it is imperative to consider both the linguistic abstractions and conversational domains that characterise and create meaning for restorative justice (Schiff & Hooker, 2019). Of primary concern to us are the limitations inherent in how the criminal legal-restorative justice narrative has been constructed, languaged, applied and thus researched and measured. Centrally important is the degree to which restorative justice has and must continue to both evolve and diverge to overcome etymological limitations to reach its full potential.

These points lead to our third and final position that the ontology (e.g. definition, classification and explanation) of restorative justice cannot be limited only to that which has historically been scientifically measurable in Westernised criminal-legal centrism. We assert that the field has long since shed those earlier, and less robust, conceptualisations of restorative justice and is already deeply engaged in a constructive dynamic process about the meaning of restorative justice, exploding Walgrave's notion that the field should somehow return from its fall from grace. Inside and outside of academia, restorative justice is now recognised and highly valued for its contributions in educational, social, environmental, civic, political and many other arenas (Aertsen, 2022; Darling-Hammond et al., 2020; Davis, 2021; González & Buth, 2019; Mannozi, 2019; Pali, Forsyth & Tepper, 2022). Further, to prioritise a backwards definitional debate will erase all of the lived realities that have constituted this rich work and that have informed and been informed by the diverse identities of the people and places from which it has emerged. We assert that the restorative justice field is richer, not poorer, for its evolution into these new domains and that such evolution must continue and not be expunged, as suggested by Walgrave.

## 2 The affirmative duty of norm entrepreneurs in a pluralist world

Norms do not appear out of thin air; they are actively built by agents [with] ... strong notions about appropriate or desirable behavior in their community (Finnemore & Sikkink, 1998: 896).

Before turning our attention to what we assert should be considered advances in the field of restorative justice and also respond to Walgrave's discomfort with the evolution of restorative justice since the 1950s, we wish to speak directly to his position as a restorative justice norm entrepreneur in an increasingly pluralist, dynamic, complex and interdependent world. Norm entrepreneurs are individuals, organisations or states dissatisfied with the current social context who seek to

change norms (social, political, cultural, etc.) by advocating new positions (Finnemore & Sikkink, 1998; Sunstein, 1996). As Finnemore and Sikkink explain, '[n]orm entrepreneurs are critical for norm emergence because they call attention to ... or ... "create" issues by using language that names, interprets, and dramatizes them' (896-897). In the norm life cycle (emergence-cascade-internalisation), norm entrepreneurs serve a continued key function in defining the linguistic domains of the sought-after normative shift (González, 2016). There is no doubt that Walgrave and his contemporaries vastly contributed to the development and growth of restorative justice in criminal-legal contexts. Their prominence as early scholars and innovators positioned them as norm entrepreneurs who designed and promoted a 'linguistic construction of restorative justice ... increasingly recognised as the proper articulation, resulting in a reproduction of new normative vocabulary' (González & Buth, 2019: 247). In addition to looking to Walgrave's record in the field of restorative justice as evidence of his role as a norm entrepreneur, we draw attention to his intentional choice to name himself as a 'veteran' in the title of his article, affirming our contention of his role as a norm entrepreneur.

While underexamined in the restorative justice literature, compared with the disciplines of political science (Finnemore & Sikkink, 2001), sociology (Goodman & Jinks, 2013), anthropology (Merry, Levitt, Rosen & Yoon, 2010) and law (Babcock, 2009), we nevertheless argue that how restorative justice norm entrepreneurs function is critical for the field. This is true whether one examines their interactions outwardly or inwardly. For the purposes of this work, we set aside the former and make two observations about the latter and, specifically, the signalling role of norm entrepreneurs. First, they acculturate new scholars by setting 'common cognitive orientations and shared assumptions' (Goodman & Jinks, 2013: 636) based on their prominence in the field. Second, and related, they either constrain or unencumber space within the field for the emergence of new ideas, formulations, practices and even research designs (González & Buth, 2019).

It is at the intersection of these two important functions that we are compelled to intervene and argue that being a norm entrepreneur, like Walgrave, engenders a responsibility to the field. Specifically, it requires a deliberate thoughtfulness about the privilege and power that one holds. Further, it demands a restraint in the exercise of such privilege, power and positivist use to empower, not dispossess, others. In an increasingly pluralist, dynamic, complex and interdependent world (to intentionally repeat ourselves) for Walgrave to disparage evolution in the restorative justice field and call for legitimacy grounded simply in the criminal-legal system, as defined and limited by early scholars and theorists, risks being at best reckless and at worst harmful. Rather, we contend that what norm entrepreneurs like Walgrave should do is create conceptual legitimacy for new ideas and innovations to avoid reification of the very foundations from which restorative justice continually struggles to emerge and towards which it has made significant progress. The elite intellectual debate from decades ago on universalism has been transformed in more productive pathways of scholarly inquiry. Put more directly, there is no universalism to restorative justice in the present moment, nor should a movement towards this be desired, regardless of the positionality of who calls for it.

## 2.1 *The importance of language*

In responding for this special issue, we strive to create a space for collaborative dialogue and critique that is not dependent on entrenched theoretical or institutional paradigms. To do this, we centre language. As is abundantly clear from restorative justice as practice, language operates vertically to determine and affirm hierarchies of power and horizontally to craft interdependent personal relationships. In ‘justice’ environments, language determines who has dominion, standing and testimonial authority (Keren, 2007; MacIntyre, 1988; McMyler, 2011; Sen, 2009). And in scholarly and public discourse, language also flows in multiple directions to create realities, ontologies and even research agendas. Thus, any serious interrogation of restorative justice requires (re)consideration of language used not only in Walgrave’s article but across the broader field.

To the former, close examination of Walgrave’s language reveals reliance on ‘traditional’ restorative justice linguism – and concomitant practice – co-opted from Indigenous tradition (Tauri, 2022). Invoking return to earlier linguistic and practical formulations of restorative justice is problematic at multiple levels, but we reflect on two. First, it is simplistic and prescriptive rather than generative. Second, and more troubling to us, it anchors the discipline in neither aspirational nor innovative ways. Contemporary restorative justice practice, theory and scholarship have invited us over and over again, through expressive and dynamic language, to explore more than just particular intellectual and political histories (Braithwaite, 1989; Latimer, Dowden & Muise, 2005; MacIntyre, 1988; Maglione, 2019a, 2019b, 2021; Weitekamp & Kerner, 2012; Zehr, 1990). Significantly in this evolution, language has elevated conceptual and discursive forms – emerging from practice – of lived experience of variably positioned people. This meaning-making and knowledge production, grounded in situated realities, has moved the linguistic discourse of research forward to more encompassing categories that no longer artificially parse what is proper or improper for restorative justice (Cohen, 2019; Gregory & Evans, 2020; Winn & Winn, 2021). Further, it has migrated restorative justice scholarship from the abstract to constituted realities, which adhere to even the most rigorous academic examinations (Bolitho, 2012; Hodgson, 2022; Llewellyn, Llewellyn, Roberts-Smith, Morrison, Smith, Dorrington-Skinner & DOHR Team, 2023; Valandra, 2020).

Language thus creates the architecture for how theory, research and practice assess the past and prescribe the future. To now rely on time-worn ontologies of restorative justice, or language that anchors to fraught and discriminatory systems, risks stifling any imagination of new possibilities of justice broadly, and restorative justice narrowly. We therefore affirm Schiff and Hooker’s (2019) call for new language that disintegrates, rather than emboldens, colonial frameworks solidified by language of existing criminal-legal frameworks. We elevate the concepts of linguistic abstraction and conversational domain to illuminate the centrality of language in formulating and advancing restorative justice’s essential normative intention to replace existing legal, political, economic and social structures with anti-oppressive ecologies (Schiff & Hooker, 2019).



### 3 The meaning of justice: linguistic abstractions and conversational domains

According to Erhard, Jensen, Zaffron and Echeverria (2022), two transformative elements are necessary for creating new possibilities in language: linguistic abstractions and conversational domains. To ground our argument, we offer a brief primer on each. Linguistic abstractions are calculated to evoke new experiential realities that did not previously exist, through their invocation in language. For example, the notion of ‘citizen’ did not exist until the ancient Greeks first created such a concept in language (Duplouy & Brock, 2018). Linguistic abstractions offer the possibility for new experience to emerge as a result of how language is used to generate a realm of possibility that is ‘separate and distinct from actual instances or examples of itself, and apart from concepts and definitions of itself’ (Erhard et al., 2022: 570). Consider, for example, the definition of a dog that denotes a furry animal with four legs that barks or, more specifically, ‘a domesticated carnivorous mammal that typically has a long snout, an acute sense of smell, nonretractable claws, and a barking, howling, or whining voice’ (*Oxford English Dictionary*, 2023). However, dogs can be large or small, of various colours, friendly or not, short or long haired, and so on. Thus, the linguistic abstraction ‘dog’ includes and denotes all these possibilities and more, beyond its mere definition. The same can be said of the linguistic abstraction ‘justice’, whereby its definition is quite different from the possibilities, limitations and experiences it evokes in spoken or written language. As a companion to linguistic abstractions, conversational domains offer a new linguistic ecology to promote possibility (Erhard et al., 2022). They function as

a collection of specialised terms (terms with a special, precise and sometimes technical meaning) and carefully crafted statements (phrases, sentences, paragraphs, entire sections, or even whole discourses) that use those specialised terms in a way that creates a world designed to communicate the depth, scope, and breadth of a particular subject (Erhard et al., 2022: 189).

As such, restorative justice can be thought of as a linguistic abstraction, situated within a conversational domain, that evokes a particular set of experiences and ways of being.

With this in mind, we assert that for justice *and* restorative justice, linguistic abstractions and conversational domains are necessary ontological foundations from which to calibrate meaning. It is essential that any (re)calibration centres language inclusive of engagement with situated normativities (Rietveld, 2008) and formulations that do not retrench oppression and domination. The act of adding the word ‘restorative’ to presumptively and normatively modify or create an altogether new approach to ‘justice’ inside current criminal legal systems is impossible. This is exacerbated if what is considered ‘restorative’ is only imagined and assessed within the limitations of the criminal-legal system or other state apparatuses designed to dominate and exclude. Using white Eurocentric formulations of retributive justice inherent in the criminal-legal system to anchor ‘restorative justice’ cannot avoid the tautology of continuing to reproduce that

which it is meant to overcome (Butler, 1997). As Butler (1997: 3) writes, '[p]ower assumes a psychic form that constitutes the subject's self-identity,' and, she argues, such subjugation occurs in language. In other words, a subject is positioned relative to a particular discourse based on the way that it is called into that discourse. By calling it into the justice discourse only *in relation to* a retributive criminal-legal system, Walgrave's restorative justice risks becoming even further entrenched into non-restorative modalities.

One of the most important contributions of research over the last decade has been the different ways of describing the expression of restorative justice. To tether restorative justice to a former and narrow linguistic context, as suggested by Walgrave for the good of research inquiry, is, in fact, counteractive to scholarship. Aligned with Schiff and Hooker (2019), we propose that a way out of such a dilemma is to disentangle the term 'justice' – and thus restorative justice – from linguistic and discursive formulations of the past and current criminal-legal systems. Linguaging or contextualising restorative justice only, or even predominantly, in relation to criminal-legal systems can never actually produce or reproduce something fundamentally different than the existing system from which it is meant to diverge. Thus, Walgrave's suggestion that restorative justice ought to be normatively positioned both within and in contrast to the traditional criminal-legal system binds it to exactly that which it is meant to overcome (Butler, 1997).

As Ross (2014) and Tauri (2022) remind the field, the essence of restorative justice stems from its grounding in Indigenous practices, where responses to harm and healing are fundamentally rooted in relationship. Thus, it is a dangerous mistake to understand restorative justice only in its formulation as a non-adversarial criminal-legal system response to harms and conflict rooted in Eurocentric, heteronormative legal expressions of morality (Walker, 2003). This contextualisation pivots restorative justice scholarship from only seeking acceptance through research and practice adopting criminal-legal outcomes and frees it to be examined through a lens of endogenous cultural transformation and system change prioritising transformational relationality (Llewellyn, 2021). Such a shift brings relationality back into focus as a central constitution of 'justice' (Bava & McNamee, 2019) not through the yoke of criminal-legal identities.

Ultimately, we contend that the aspiration of restorative justice is to transform through

a linguistic abstraction, spoken within a conversational domain, which creates the possibility that every being, person and group will experience full and fundamentally equitable access to the relationships, resources, opportunities, and testimonial authority needed to fully manifest individual and collective capabilities in support of a greater and common good (Schiff & Hooker, 2019: 233).

This aspiration is in sharp opposition to intentions of the criminal-legal system that limit and constrain theory, research and practice. In short, it is simply impossible under current conditions of what is considered 'justice' in criminal-legal



settings to define or measure the expansive possibilities of restorative justice or, as importantly, to do so within sociopolitical, economic and cultural contexts of right relationship adherent to principles of belonging, inclusion, equity and capability.

#### 4 The political nature of restorative justice ontology

Moving from the more discrete context of language to the broader ontology of restorative justice, we elevate an additional consideration within Walgrave's exposition. For this, we make several observations about the field's present moment. First, a peremptory definition limiting the ontology of restorative justice to 'a particular way of responding to crime' is outdated (Llewellyn, 2021). Second, there is no field consensus that '[w]ithout a definition of RJ that can be applied and assessed empirically, we are bobbling on a raft in a sea of hopes and dreams' (Braithwaite, 2020; Daly, 2022: 33). Third,

[r]estorative justice is built upon the [normative] ontology of participation of all community members with a profound respect for social and interpersonal relations, and the reality that individuals often experience multiple identities within a social group (González, 2015: 460).

Fourth, phenomenologically restorative justice is based on relational accountability that gives rise to new forms of political expression (Bava & McNamee, 2019; González, 2015; Maglione, 2019b; Winslade, 2019; Woolford, 2009). Individually, and very much collectively, each of these observations counters Walgrave's position that clarifying an exact definition of restorative justice and ensuring that it is limited to that which can be measured criminal-legally by academic scholars serves the field. If we were to follow his path, it would not only be the field which is harmed but, more importantly, those the field aims to serve.

The task of accomplishing a new ontology is not simple. It requires new linguistic and experiential narratives, discussed *infra*, centred in ways of knowing rooted not simply in Euro-Western, scientific and empirically measurable outcomes but also in Indigenous and holistic forms of understanding relationship and responses to transgression. One could consider this a 'rights consciousness [that is] at once both empirical and normative' (González, 2015: 466). Such an ontological approach to restorative justice seeks to be responsive to both the individual and the collective. While processes and outcomes may be individually transformative, they also potentially offer collective liberation from deeply entrenched socio-legal and political processes of exclusion and marginalisation. Given our commitment to progression, not regression, for the field of restorative justice, we cannot promote exclusionary standardisation. To retain, or reinforce, knowledge production and 'assessment' as homogeneous (and particularly criminal-legal) would ingrain dimensions of power at a time of global resistance to structural violence.

To accept that the ontology of restorative justice be interpreted narrowly as a vehicle by which to insert, and thus evaluate, an 'alternative' (Zehr, 2015) set of processes or outcomes into existing criminal-legal system is flawed. Restorative

justice research can, and, more importantly, should, re-examine the normative logics imbued in criminal legal systems never meant to serve emancipation, participation or equality. If scholarly inquiry is precluded from doing this as part of definitional meaning-making, it risks being controlled by racial capital hierarchal narratives (Gilmore, 2007; Robinson, Sojoyner & Willoughby-Herard, 1983). State systems draw power through the reification of structures – even those labelled as restorative – and sustain them through linguistic and practical affirmation of and participation in such systems. The assimilation of restorative justice into such systems logic ‘conveys an ostensible acceptance of system norms, values, and presumptions’ (González & Buth, 2019: 249). To view the ontological context of restorative justice as only within such systems would, by definition, in fact reinforce rather than diffuse existing structures of inequity and subordination.

To neglect this context and nuance, as Walgrave does, degrades the power and mutually constitutive dynamic of restorative justice theory, practice and research. Thus, we believe that if the meaning of restorative justice is to be once again explored, that is, relanguaged and retheorised, it must confront dispossession, exploitation and control rooted in settler colonialism and anti-Blackness. It would be untenable for restorative justice to decline into becoming only another empirically measurable criminal-legal diversion or system alternative bound to a flawed conceptualisation of ‘justice’. The goal of restorative justice is not, and has never been, simply to reduce recidivism rates or produce better diversionary services. Nor should it be garnered to justify neoliberal attempts to enhance relationality inside intrinsically oppressive systems. To do so obviates what we contend is the political reality of restorative justice as demands for emancipation, ending domination and oppression, and the right to have meaningful control over one’s own existence (González, 2015).

As questions that we raised in the introduction reflect, we do not believe we have fully expressed such an ontology of restorative justice here but hope this article offers a challenge to consider the possibility of restorative justice as an essentially human and relational practice calculated to craft a new lexicon of justice. In resisting Walgrave’s call to retrenchment, the restorative justice field can both call for and align with larger mobilisation attempts to expose the strength of collective or common power identities that support future resistance (Tauri, 2022). In that transformative context, theory, practice and research may more fully ‘address the systemic dimensions of injustice bound in the structures that order our relationships in society to ... find a new reality’ (González, 2015: 462). With all of this in mind, we cannot accept Walgrave’s invitation to return to earlier visions and versions of restorative justice’s definitional ontology or risk limiting and marginalising the very voices the restorative justice field, and arguably a movement, has sought to include for more than 30 years. Restorative justice’s existing migrations to becoming a communicative expression inviting ‘those who have suffered an injury to initiate a new dialogue of justice’ are more relevant in our minds (González, 2015: 460).

## 5 Conclusion

In engaging in this special issue, our most direct contention is that restorative justice should not be reduced to singular categories or conceptions linked only to the past, or definitionally limited just to what academics can measure in Westernised criminal-legal settings. In a time of political retrenchment and rising global authoritarianism, to invoke restorative justice is to challenge normative assumptions of the 'order of things', confronting structures of power and privilege. Locating restorative justice only as its formulation within a Westernised and co-optative criminal-legal system, as Walgrave suggests, risks regression not only in the present moment but also in the future. Under such definitional myopathy, restorative justice will be constrained to incremental adjustments adjacent to dispossessive and oppressive structures. We challenge the restorative justice field not to step or shy away from but rather to celebrate and embrace the incredible growth that has occurred. There is still much work to be done to confront injustice, honour the lived experiences of those harmed, and to craft a relational practice that has the capacity to confront and challenge systems of domination and architectures of authority.

## References

- Aertsen, I. (2022). Environmental restorative justice: activating synergies. In B. Pali, M. Forsyth & F. Tepper (eds.), *The Palgrave handbook of environmental restorative justice* (pp. 667-691). Cham: Palgrave MacMillan.
- Aertsen, I., Mackay, R., Pelikan, C., Willemsens, J. & Wright, M. (2004). *Rebuilding community connections: mediation and restorative justice in Europe*. Strassbourg: Council of Europe Publishing.
- Almengor, R.A. (2020). Women colorizing restorative justice in White-led institutions. In E.C. Valandra (ed.), *Colorizing restorative justice: voicing our realities* (pp. 130-142). St. Paul: Living Justice Press.
- Babcock, H.M. (2009). Assuming personal responsibility for improving the environment: moving toward a new environmental norm. *Harvard Environmental Law Review*, 33(1), 117-145. [PLEASE ADD DOI IN THE PROOFS]
- Bava, S. & McNamee, S. (2019). Imagining relationally crafted justice: a pluralist stance. *Contemporary Justice Review*, 22(3), 290-306. doi: 10.1080/10282580.2019.1644174.
- Bazemore, G. (1998). Restorative justice and earned redemption: communities, victims, and offender reintegration. *American Behavioral Scientist*, 41(6), 768-813. doi: 10.1177/0002764298041006003.
- Bolitho, J.J. (2012). Restorative justice: the ideals and realities of conferencing for young people. *Critical Criminology*, 20(1), 61-78. doi: 10.2139/ssrn.3417557.
- Braithwaite, J. (1989). *Crime, shame and reintegration*. Cambridge: Cambridge University Press.
- Braithwaite, J. (2020). Restorative justice and reintegrative shaming. In C. Chouhy, J.C. Cochran & C.L. Jonson (eds.), *Criminal justice theory: explanation and effects* (vol. 26, pp. 281-308). New York: Routledge.
- Butler, J. (1997). *The psychic life of power: theorems in subjection*. Stanford: Stanford University Press.

- Cohen, A.J. (2019). Moral restorative justice: a political genealogy of activism and neoliberalism in the United States. *Minnesota Law Review*, 104, 889-953.
- Daly, K. (2022). *Remaking justice after sexual violence. Essays in conventional, restorative and innovative justice*. The Hague: Eleven International Publishing.
- Darling-Hammond, S., Fronius, T.A., Sutherland, H., Guckenburg, S., Petrosino, A. & Hurley, N. (2020). Effectiveness of restorative justice in US K-12 schools: a review of quantitative research. *Contemporary School Psychology*, 24(3), 295-308. doi: 10.1007/s40688-020-00290-0.
- Davis, F. (2019). *The little book of race and restorative justice: black lives, healing, and US social transformation*. New York: Good Books.
- Davis, F.E. (2021). Foreword. In C. Stauffer & T. Lewis (eds.), *Listening to the movement: essays on new growth and new challenges in restorative justice* (pp. vii-xiii). Eugene: Cascade Books.
- Duploux, A. & Brock, R.W. (eds.) (2018). *Defining citizenship in archaic Greece*. Oxford: Oxford University Press.
- Eglash, A. (1957). Creative restitution: a broader meaning for an old term. *Journal of Criminal Law, Criminology, and Police Science*, 48(6), 619-622. doi: 10.2307/1140258.
- Eglash, A. (1958). Creative restitution: some suggestions for prison rehabilitation programs. *American Journal of Corrections*, 20(6), 20-34.
- Eglash, A. (1959). Creative restitution: its roots in psychiatry, religion and law. *British Journal of Delinquency*, 10(2), 114.
- Erhard, W., Jensen, M.C., Zaffron, S. & Echeverria, J. (2022). Course materials for: 'being a leader and the effective exercise of leadership: an ontological/phenomenological model'. *Harvard Business School NOM Working Paper* (09-038), 08-03. Retrieved from [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1263835](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1263835) (last accessed 14 August 2023).
- Finnemore, M. & Sikkink, K. (1998). International norm dynamics and political change. *International Organization*, 52(4), 887-917.
- Finnemore, M. & Sikkink, K. (2001). Taking stock: the constructivist research program in international relations and comparative politics. *Annual Review of Political Science*, 4, 391-416.
- Gal, T. (2020). Restorative justice myopia. *The International Journal of Restorative Justice*, 3(3), 341-355.
- Gilmore, R.W. (2007). *Golden gulag prisons, surplus, crisis, and opposition in globalizing California*. Berkeley: University of California Press.
- González, T. (2015). Reorienting restorative justice: initiating a new dialogue of rights consciousness, community empowerment and politicization. *Cardozo Journal of Conflict Resolution*, 16, 457-477.
- González, T. (2016). Restorative justice from the margins to the center: the emergence of a new norm in school discipline. *Howard Law Journal*, 60(1), 266-308.
- González, T. (2019). The legalization of restorative justice: a fifty-state empirical analysis. *Utah Law Review*, (5), 1027-1067.
- González, T. & Buth, A.J. (2019). Restorative justice at the crossroads: politics, power, and language. *Contemporary Justice Review*, 22(3), 242-256. doi: 10.1080/10282580.2019.1644172.
- Goodman, R. & Jinks, D. (2013). *Socializing states: promoting human rights through international law*. Oxford: Oxford University Press.
- Gregory, A. & Evans, K.R. (2020). *The starts and stumbles of restorative justice in education: where do we do from here?* Boulder: National Education Policy Center. Retrieved from

- <https://nepc.colorado.edu/publication/restorative-justice> (last accessed 14 August 2023).
- Hodgson, J. (2022). Offending girls and restorative justice: a critical analysis. *Youth Justice*, 22(2), 166-188. doi: 10.1177/1473225420967751.
- Johnstone, G. (1999). Restorative justice, shame and forgiveness. *Liverpool Law Review*, 21(2-3), 197-216. doi: 10.1023/A:1005629612949.
- Kaba, M. (2021). *We do this' til we free us: abolitionist organizing and transforming justice* (Vol. 1). Chicago: Haymarket Books.
- Keren, A. (2007). Epistemic authority, testimony and the transmission of knowledge. *Episteme*, 4(3), 368-381. doi: 0.3366/E1742360007000147.
- Latimer, J., Dowden, C. & Muise, D. (2005). The effectiveness of restorative justice practices: a meta-analysis. *The Prison Journal*, 85(2), 127-144. doi: 10.1177/0032885505276969.
- Llewellyn, J.T. (2021). Transforming restorative justice. *The International Journal of Restorative Justice*, 4(3), 374-395. doi: 10.5553/TIJRJ.000096.
- Llewellyn, K.R., Llewellyn, J.J., Roberts-Smith, J., Morrison, G., Smith, T., Dorrington-Skinner, T. & DOHR Team (2023). Transforming relations through oral history performance: restorative justice and the DOHR project. *Research in Drama Education: The Journal of Applied Theatre and Performance*, 28(1), 106-125. doi: 10.1080/13569783.2023.2177145.
- MacIntyre, A. (1988). *Whose justice? Which rationality?* Notre Dame: University of Notre Dame Press.
- Maglione, G. (2019a). The restorative justice apparatus: a critical analysis of the historical emergence of restorative justice. *Social & Legal Studies*, 28(5), 650-674. doi: 10.1177/0964663918806561.
- Maglione, G. (2019b). The political rationality of restorative justice. *Theoretical Criminology*, 23(4), 545-562. doi: 10.1177/1362480618756364.
- Maglione, G. (2021). Restorative justice, crime victims and penal welfarism. Mapping and Contextualising Restorative Justice Policy in Scotland. *Social & Legal Studies*, 30(5), 745-767. doi: 10.1177/0964663920965669.
- Mannozi, G. (2019). The emergence of the idea of a restorative city and its link to restorative justice. *The International Journal of Restorative Justice*, 2(2), 288-292. doi: 10.5553/IJRJ/258908912019002002006.
- McMyler, B. (2011). *Testimony, trust, and authority*. Oxford: Oxford University Press.
- Merry, S.E., Levitt, P., Rosen, M.S. & Yoon, D.H. (2010). Law from below: women's human rights and social movements in New York City. *Law & Society Review*, 44(1), 101-128. doi: 10.1111/j.1540-5893.2010.00397.x.
- Oxford English Dictionary, Oxford University Press (2023). *Definition of dog*. Retrieved from [https://www.oed.com/dictionary/dog\\_n1](https://www.oed.com/dictionary/dog_n1). <https://doi.org/10.1093/OED/6646229330> (last accessed 22 July 2023).
- Pali, B., Forsyth, M. & Tepper, F. (eds.). (2022). *The Palgrave handbook of environmental restorative justice*. Cham: Palgrave Macmillan.
- Rietveld, E. (2008). Situated normativity: the normative aspect of embodied cognition in unreflective action. *Mind*, 117(468), 973-1001. doi: 10.1093/mind/fzn050.
- Robinson, C.J., Sojoyner, D. & Willoughby-Herard, T. (1983). *Black Marxism: the making of the black radical tradition* (3rd ed.). North Carolina: University of North Carolina Press.
- Ross, R. (2014). *Return to the teachings*. Toronto: Penguin Random House.
- Schiff, M. & Hooker, D.A. (2019). Neither boat nor barbeque: in search of new language to unleash the transformative possibility of restorative justice. *Contemporary Justice Review*, 22(3), 219-241. doi: 10.1080/10282580.2019.1644624.

- Sen, A. (2009). *The idea of justice*. Cambridge: Belknap Press.
- Sunstein, C. (1996). Social norms and social rules. *Columbia Law Review*, 96(4), 903-968. doi: 10.2307/1123430.
- Tauri, J.M. (2022). What exactly are you restoring us to? A critical examination of Indigenous experiences of state-centred restorative justice. *The Howard Journal of Crime and Justice*, 61(1), 53-67. doi: 10.1111/hojo.12459.
- Umbreit, M. (1998). Restorative justice through victim-offender mediation: a multi-site assessment. *Western Criminology Review*, 1(1), 1-29.
- Valandra, E.C. (ed.). (2020). *Colorizing restorative justice: voicing our realities*. St Paul: Living Justice Press.
- Walgrave, L. (2023). Concerns about the meaning of 'restorative justice'. Reflections of a veteran. *International Journal of Restorative Justice*, 6(3). doi: 10.5553/TIJRJ.000182.
- Walker, M.U. (2003). Restorative justice and reparations. *Journal of Social Philosophy*, 37(3), 377-395. doi: 10.1111/j.1467-9833.2006.00343.x.
- Walters, M. (2020). Developments in the use of restorative justice for hate crime. *The International Journal of Restorative Justice*, 3(3), 446-457.
- Weitekamp, E.G. & Kerner, H.J. (eds.). (2012). *Restorative justice: theoretical foundations*. London: Routledge.
- Winn, M.T. (2020). *Justice on both sides: transforming education through restorative justice*. Cambridge: Harvard Education Press.
- Winn, M.T. & Winn, L.T. (2021). *Restorative justice in education: transforming teaching and learning through the disciplines* (Race and education series). Cambridge: Harvard Education Press.
- Winslade, J. (2019). Can restorative justice promote social justice? *Contemporary Justice Review*, 22(3), 280-289. doi: 10.1080/10282580.2019.1644173.
- Woolford, A. (2009). *The politics of restorative justice: a critical introduction*. Black Point: Fernwood Publishing.
- Zehr, H. (1990). *Changing lenses: a new focus for crime and justice*. Scottdale: Herald Press.
- Zehr, H. (2015). *The big book of restorative justice: four classic justice & peacebuilding series*. New York: Good Books.