

BOOK REVIEW

Paul Mbanzoulou, Jean-Philippe Mayol, Lucie Hernandez and Anais Tschanz (eds.), *La justice restaurative: des frontières plurielles et mouvantes [Restorative justice: multiple and evolving borders]*. Agen: Les presses de l'Énap, 2021, 270 pp., ISBN: 978-2-11-162529-7.

This book is part of a broader collection edited by Paul Mbanzoulou, the first author and research director at the National School of Penitentiary Administration (ENAP) in France. The collection is devoted to publishing scientific work from France and overseas, aiming to deepen the understanding of topics within criminology. *La justice restaurative: des frontières plurielles et mouvantes* is no exception. This comprehensive handbook on restorative justice, according to Mbanzoulou, is 'one of the first to be written in French on this topic' (11), featuring contributions from 27 practitioners and academics from France and Canada. These writings represent the proceedings of an eponymous symposium for restorative justice practitioners held in France shortly after the book's publication. The book begins with a preface that provides an overview of the emergence and current state of restorative justice in France, followed by an introduction that summarises the different sections and chapters. This handbook emerges in response to the introduction of restorative justice in French criminal law and seeks to untangle the structural and cultural changes it has brought to the criminal justice system by examining its origins, how it is currently developed in France and its future.

The introductory material provides crucial information about the sociohistorical context in which the book emerged. Millescamps' brief preface reveals that the ENAP has been instrumental in the emergence of restorative justice in France, noting that key actors from this institution participated in the country's first victim-offender encounter in 2010, subsequently contributing to the institutionalisation of restorative justice. Mbanzoulou's introduction provides further details on this matter. He explains that restorative justice was formally recognised within French criminal law in 2014 and defined in 2017 as a 'complementary justice model to the criminal trial', applicable 'to any and all offence, regardless of the gravity, and at any stage of the prosecution including the execution of the sentence' (12). Despite France's formal legal framework, restorative justice retains multiple and evolving boundaries, suggesting that the concept can be interpreted in different ways. This variability could lead to practices that potentially deviate from its philosophy, highlighting that its paradigmatic construction is still ongoing. How was restorative justice originally conceived? How is France adapting and developing restorative justice? What are the prospects of restorative justice? These reflections and questions are posited and explored by the authors throughout the book.

The main body of the book is divided into three sections. The first section, *Sociohistorical and Paradigmatical Construction of Restorative Justice*, comprises five chapters that explore the origins of restorative justice, as well as the context of its emergence and development in Canada and in France. The first chapter stresses

that restorative justice is closely tied to African ancestral traditions and the conflict resolution modes of Canadian Indigenous populations. The second chapter delves into conceptual and theoretical influences, along with paradigmatic considerations that led to the creation of the relational mediation approach. The third chapter focuses on restorative justice in Canada. The fourth is presented as an interview with three academics discussing the place and the appropriation of restorative justice in the criminal justice system in France. The final chapter reviews the state of restorative justice in France concerning juvenile offenders, noting its developmental status and its educational application. This section, however, struggles to comprehensively address the origins of restorative justice, as three of its chapters are primarily focused on the recent sociohistorical and paradigmatic developments of restorative justice in France.

The second section of the book, *Perspectives on the Appropriation and the Development of Restorative Justice Practices in France*, includes eight chapters that address the state of restorative justice in France and the obstacles to its development and implementation. Chapter 6 offers an overview of the measures, programmes, practices, venues, actors and partnerships involved in restorative justice in France. Chapters 7 and 8 focus respectively on the mission, programmes and measures implemented by the French Institute for Restorative Justice (IFJR) and the Research Association in Applied Criminology (ARCA), two of the most active organisations advancing restorative justice in France. Chapter 9 presents the findings of a qualitative study aimed at understanding the effects, benefits and limitations of restorative justice in France from the perspectives of victims, perpetrators and practitioners. Chapter 10 engages in a critical reflection on the compatibility of penal and restorative logics, without specific reference to the French context. Chapter 11 provides insights into the challenges faced by practitioners and detainees in implementing and experimenting with victim-offender mediation in a remand centre in France. Finally, Chapters 12 and 13 discuss the training legally required for practitioners to offer restorative justice measures in France, addressing issues revolving around its professionalisation. Apart from Chapter 10, this section provides a comprehensive understanding of restorative justice in France and also reflects that lack of funding and trained practitioners are the primary barriers to its broader development and implementation across the country.

Reflecting on the Tomorrows of Restorative Justice: Developmental Issues is the third section of the book. It contains six chapters that examine less common restorative justice initiatives in France and across Europe, most of which occurred outside the traditional criminal justice system. These experiences address cases such as intimate partner violence, publicised sexual violence, sexual abuse of juveniles in the Catholic Church, terrorist acts, mass violence, and conflicts in professional settings. Although the writings of Mayol and Balhouane do not present a compelling argument for including penitentiary mediation between inmates and/or personnel as part of the restorative justice umbrella, Lefranc's contribution is notably distinct. She is the only one approaching restorative justice in a non-European context, examining its use as a means of transitional justice following mass violence events. This section, with the exception of Lefranc's

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contribution, does not reflect on the avenues or the future of restorative justice at large, but rather reviews past experiences in France and Europe that have exceptionally extended beyond the penal domain. Moreover, some of these experiences were implemented where no other form of traditional justice was available or feasible. How does this translate to the current state and, more importantly, to the future of restorative justice? Unfortunately, these developmental issues are left out.

A few recurring themes in the book are particularly noteworthy. One dominant theme in the second section is the partnership structure critical to restorative justice in France. Given that restorative justice functions as a secondary activity for most of its French actors, these partnerships – typically established between organisations of the criminal justice system and victim associations – are essential. They enable restorative justice ‘...to exist, as they consist into sharing the workload among larger and institutionalised groups...’ (96). Another significant theme is the instrumentalisation of restorative justice. Indeed, in France, restorative justice presents a paradox; originally envisioned as a new conception of justice, it now acts merely as a complementary tool within the French criminal justice system, which ‘...serves the institution and pulls it in the right direction, instead of being a new way to do justice’ (93). This notion of instrumentalisation is also evident in scenarios like mass violence events, where restorative justice is employed as a political compromise when a ‘...penal modality is suspended or restrained’ (239). While the book aims to explore the structural and cultural changes restorative justice has introduced to the criminal justice system, it falls short in this regard. It appears that restorative justice has not been able to significantly influence the system; more often than not, it serves as a tool that must adapt to the existing legal framework in order to exist, rather than instigating fundamental changes.

Perhaps two of this book’s most important contributions are its status as one of the first handbooks on restorative justice written in French and its activist stance towards the development of this form of justice in France. To my knowledge, despite the potentially misleading title, this book is the first to address restorative justice in France and in French, effectively presenting its origins, appropriations and developments within the country. Consequently, this handbook serves as a useful resource for informing French restorative justice practitioners about these aspects, although it does fall short in fully addressing the origins and broader prospects of restorative justice. Additionally, the book takes an activist stance by involving a fair number of authors who have actively contributed to the emergence of restorative justice in France and in its legal framework. In addition to these pioneers, it also includes contributions from French academics and practitioners, all within a single volume for the first time. Most of these French collaborators do indeed offer insightful reflections on the development of restorative justice in France and strategies for its further advancement.

Some crucial issues remain unaddressed in this book, such as the existence of multiple definitions of restorative justice and the lack of consensus revolving around its terminology in the French language. While the writers often reference Zehr’s (1990) definition of restorative justice, they omit other potential definitions, despite proponents of restorative justice feeling a pressing need to develop their

own definition (Zernova & Wright, 2006). Given the book's aims, in part, to inform readers about the origins of restorative justice, it would have been helpful to have a dedicated chapter in the first section presenting the most widely accepted definitions. Moreover, some authors do highlight Canada's significant influence on the development of restorative justice in France. And, in Canada, as demonstrated in some chapters, *justice réparatrice* is the dominant French term, while *justice restaurative* is used in France to refer to restorative justice. However, the book does not address why France adopted the latter instead of the former; nor does it delve into this terminology issue. Indeed, unlike in English, there is no consensus in the French language regarding the term 'restorative justice', leading to the use of these two designations (Walgrave, 1999).

Overall, this handbook offers a great depiction of restorative justice in France. That being said, it was written for French practitioners, mostly by French practitioners and academics, which may pose accessibility challenges for those interested in restorative justice outside of France. For example, some acronyms are not defined, and certain contextual elements about restorative justice in France remain unclear. Consequently, I found myself conducting simultaneous research while reading to ensure a thorough understanding of the content. Also, as a French Canadian, I was initially thrilled to see contributions from Canada in the book. However, only two chapters in the first section were authored by Canadian academics and practitioners, and their contributions were generally shorter than the others. These chapters felt somewhat disjointed and could even have been left out, as the book was mostly oriented towards restorative justice in France. Despite these limitations, this book is a worthwhile read for academics and practitioners interested in learning about restorative justice in France.

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