

 THE CENTER FOR JUSTICE & PEACEBUILDING A PROGRAM OF EASTERN MENNONITE UNIVERSITY	CRITICAL ISSUES IN RESTORATIVE JUSTICE PAX 686 SPI 2023 May 30 - June 29, 2023 <i>Online via zoom: Tuesday/Thursday 5:00 - 7:00pm EST</i>
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INSTRUCTOR INFORMATION:

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Office hours: Available Tuesday/Thursday 2:00 - 10:00pm. Contact to set up an online appointment.

COURSE DESCRIPTION:

The restorative justice field continues to grow at a rapid pace. With this growth comes divergent theoretical perspectives, like those ranging from minimalist to maximalist, which in turn influence divergent types of implementation, all with the intention of meeting the diverse needs of the community and context in question. In this course we will identify how restorative justice is best positioned to strengthen relational and social fabric in our respective communities, and what it means for a restorative approach to be responsive and adaptable while working from a strong theoretical foundation. We will examine the contemporary critical issues in the field compared to those thirty years ago. Students will then have the opportunity to focus on a particular critical issue relevant to their context of choice and analyze it – by drawing on pertinent theories and implementation processes – through a restorative lens.

This course will prioritize relationship and collaborative decision-making and will draw on the wisdom of each participant. It will engage learners through a combination of virtual circle processes, small group discussion and lecture. It is designed for people with an existing knowledge base of restorative justice principles and practice modalities who are looking to deepen that knowledge through discrete areas of application.

COURSE GOALS AND OBJECTIVES:

1. Learn about key theoretical perspectives (within the restorative framework and drawing from other disciplines) that inform a restorative application, and analyze a critical issue related to restorative justice through these frameworks.
2. Identify restorative principles and how these influence adaptive responses, articulating what such responses consist of.
3. Critically assess the suitability of restorative justice related to key issues in the current climate.
4. Develop an understanding of the practitioner skills necessary for a restorative approach and practice facilitating a circle process or restorative conversation if appropriate.
5. Improve professional skills through clear, concise writing, verbal communication, and the participation of restorative engagement with colleagues.

REQUIRED TEXTS:

- Aertsen, I., Daems, T. & Robert, L. (Eds.). (2006). *Institutionalizing restorative justice*. Cullompton, Devon, UK: Willan Publishing. (336 pages). ISBN: 9781843921585. List price: \$31.99.
- Valandra, E. (Ed.). (2020). *Colorizing Restorative Justice: Voicing Our Realities*. St. Paul, MN: Living Justice Press. (440 pages). ISBN: 9781937141233. List price: \$35.00.
- von Hirsch, A., Roberts, J., Bottoms, A., Roach, K., & Schiff, M. (Eds.). (2003). *Restorative justice and criminal justice: Competing or reconcilable paradigms?* Oxford: Hart Publishing. (360 pages). ISBN: 9781841135182. List price: \$71.99.
- Zehr, H. (2015). *The little book of restorative justice, revised and updated*. New York: Skyhorse Publishing, Inc. (112 pages). ISBN: 1561488232. List price: \$5.99.
- Zehr, H. & Toews, B. (Eds.). (2010). *Critical issues in restorative justice* (2nd ed.). Boulder, CO: Lynne Rienner Publishers, Inc. (409 pages). ISBN: 978-1-881798-51-4. List price: \$32.50.
- Additional resources and articles to be posted on Moodle.

SUPPLEMENTARY RESOURCES:

DIGITAL MEDIA:

- Barga, C. & Lyons, A. (2018, February 21). [The promise and perils of "standards" in restorative justice](#). Zehr Institute for Restorative Justice webinar series.
- Griffith, A. & Keenan, M. [Podcast](#): (Feb 25, 2020). *Victim of rape chooses restorative justice* [40:57].
- Quince, K. & Farrar, H. (2018). Interview: [Restorative Justice and Indigenous Justice](#) [1:05:27].

TEXTS:

- Alexander, E. (2005). Institutional transformation and planning: From institutional theory to institutional design. *Planning Theory*, 4(3), 209-223.
- Beckett, K. (2018). The politics, promise, and peril of criminal justice reform in the context of mass incarceration. *Annual Review of Criminology*, 1, 235-259.
- Christie, N. (1977). Conflicts as property. *The British Journal of Criminology*, 1(17), 1-15.
- Davis, F. (2018). *The Little Book of Race and Restorative Justice: Black Lives, Healing and U.S. Social Transformation*. New York: Skyhorse Publishing, Inc.
- González, T. & Buth, A. (2019). Restorative justice at the crossroads: Politics, power, and language. *Contemporary Justice Review* 22(3), 242-256.
- Herman, J. (2005). Justice from the victim's perspective. *Violence Against Women*, 11(5), 571-602.
- Johnstone, G. (2020). Voluntariness, coercion and restorative justice: Questioning the orthodoxy. *The International Journal of Restorative Justice*, 3(2), 157-167.
- Kingston, C. & Caballero, G. (2009). Comparing theories of institutional change. *Journal of Institutional Economics*, 5(2), 151-180.
- Laxminarayan, M. (2014). *Accessibility and initiation of restorative justice*. European Forum for Restorative Justice. <https://tinyurl.com/y3x66pua>.
- Mahoney, J. & Thelen, K. (Eds.). (2010). *Explaining institutional change: Ambiguity, agency, and power*. Cambridge, UK: Cambridge University Press.
- McCold, P. (2000). Toward a mid-range theory of restorative criminal justice: A reply to the maximalist model. *Contemporary Justice Review*, 3(4), 357-414.
- Ross, R. (2006). *Returning to the teachings*. Toronto: Penguin Group.

- Sered, D. (2019). *Until we reckon: Violence, mass incarceration, and a road to repair*. New York: The New Press.
- Shah, S., Stauffer, C. & King, S. (2017). [Restorative justice listening project final report](#).
- Shapland, J., Burn, D., Crawford, A. & Gray, E. (2020). From victimization to restorative justice: Developing the offer of restorative justice. *The International Journal of Restorative Justice*, 3(2), 194-214.
- Silva, S. (2018). Finally “changing lenses”? State-level determinants of restorative justice laws. *The Prison Journal*, 1-25.
- Silva, S., Shaw, M. & Han, T. (2019). Policy to practice: An implementation case study in restorative justice. *Contemporary Justice Review*, 1-17.
- Tauri, J. (2009). An indigenous perspective on the standardisation of restorative justice in New Zealand and Canada. *Indigenous Policy Journal*, 3, (1-24).
- United Nations Office on Drugs and Crime. (2020). *Handbook on restorative justice programmes* (2nd ed). Vienna: United Nations.
- Woolford, A. (2009). *The politics of restorative justice: A critical introduction*. Winnipeg, Manitoba: Fernwood Publishing.
- Zinsstag, E. & Keenan, M. (Eds.), *Restorative responses to sexual violence: Legal, social and therapeutic dimensions*. Abingdon, Oxon; New York: Routledge.

REQUIRED ASSIGNMENTS:

This course is offered for 2 or 3 academic credits or for audit. Auditing entails attending and participating in synchronous class activities and discussion. Any additional work is optional.

Synchronous class participation (25 points): Expected of all students

- Online course time will be interactive and discussion based. Participation will be important in order to establish group norms, expectations and build relationships in a collaborative learning environment. Students will be invited to engage with topics based on the course readings, critical reflection and previous professional, academic, and lived experience. The synchronous class time will be valuable given the wholly virtual learning format, so students will be expected to be prompt and engaged to the extent possible.

Asynchronous participation (10 points): Expected of all students

- Students will extend their online learning through asynchronous reflection and discussion based on the weekly topics and individual research and reading. This can be done through weekly Moodle discussion boards and/or through a reflection journal that will be shared with the instructor.

Annotated bibliography (10 points): Expected of all students

- Students will compile an annotated bibliography in preparation for their individual research paper. The bibliography must include sources that cover the elements discussed in class that frame an analysis of a critical issue related to restorative justice.

Class presentation (15 points): Expected of all students

- In preparation for the analytical research paper, students will present their topic to the class in a way of their choosing. The presentation will include discussion time and is intended to serve as a progress check-in and opportunity to identify possible points of collaboration with peers.

Peer review/feedback (10 points): Expected of all students (those receiving 2 credits may choose to only do the verbal feedback)

- Students will be expected to provide feedback to their peers following the class presentation or individual paper. This can be written or pre-recorded verbal feedback that will identify strengths, new learnings, and suggestions for growth. Guidance on length and structure of feedback to be provided by the instructor.

Individual paper analyzing critical issue (30 points): Expected of all students (length may vary depending on number of credits)

- After identifying a critical issue to analyze, this paper will include the following components at minimum: Theoretical perspectives, methodology, relevant social/cultural context, implementing mechanisms (ie: relevant policies) and restorative practice considerations. Papers will be roughly 6000 words (4000 if receiving 2 credits) and written in the style of a book chapter or journal article. Please note that word count is an estimate as quality is most important.

If you would like to submit an arts or media-based project as an alternative format, please submit a proposal describing audience, goals, methodology, and project format (including details such as project length) for instructor review and approval at least three weeks before the assignment is due.

Note: These are brief descriptions of required graded assignments for the course. More details for each assignment can be found on the "Guidance Notes" that will be provided in class.

SCHEDULE:

The weekly agenda of topics and reading assignments will be provided separately to course participants.

SPI ATTENDANCE POLICY:

It is expected that individuals registering for an SPI session will attend the entire course (barring unforeseen travel delays or emergencies). Please contact SPI directly at spi@emu.edu before registering if you know you will have to miss any days of a course. For-credit participants are expected to attend all class sessions unless they are given permission from the instructor to miss a session. SPI courses rely on active student participation in a learning community. If a participant misses class repeatedly and this disrupts the learning for others, they will be asked to leave the course and no money will be refunded for remaining course time.

GRADING CRITERIA AND OTHER POLICIES:

SPI provides all students taking the course for graduate credit some supplemental information that will serve as a resource after SPI when students are working on course assignments. This includes information on library resources, EMU's academic integrity policy, and guidelines for writing graduate papers, information regarding the grading scale and course deadlines, and then some suggestions we have for you in order to make your experience of taking SPI courses for graduate credit as successful as possible! These [documents](#) are all available online.