



George Pavlich

# Governing Paradoxes of Restorative Justice



# Governing Paradoxes Of Restorative Justice

**Ivo Aertsen, Brunilda Pali**



## **Governing Paradoxes Of Restorative Justice:**

**Governing Paradoxes of Restorative Justice** George Pavlich, 2013-01-11 Restorative justice is the policy of eschewing traditional punishments in favour of group counselling involving both victims and perpetrators. Until now there has been no critical analysis of governmental rationales that legitimize restorative practices over traditional approaches but *Governing Practices of Restorative Justice* fills this gap and addresses the mentalities of governance most prominent in restorative justice. The author provides comprehensible commentary on the central images of this discursive arena in a style accessible to participants and observers alike of restorative justice. *Handbook of Restorative Justice* Gerry Johnstone, Daniel Van Ness, 2013-01-11 This book provides a comprehensive and authoritative account and analysis of restorative justice, one of the most rapidly growing phenomena in the field of criminology and justice studies. This book aims to meet the need for a comprehensive, reliable, and accessible overview of the subject. It draws together leading authorities on the subject from around the world in order to elucidate and discuss the key concepts and principles of restorative justice, explain how the campaign for restorative justice arose and developed into the influential social movement it is today, describe the variety of restorative justice practices, explain how they have developed in various places and contexts, and critically examine their rationales and effects. It identifies and examines key tensions and issues within the restorative justice movement, brings a variety of disciplinary and interdisciplinary perspectives to bear upon the understanding and assessment of restorative justice. *The Handbook of Restorative Justice* is essential reading for students and practitioners in the field. *Restorative Justice* Theo Gavrielides, 2017-09-19 The legitimacy and performance of the traditional criminal justice system is the subject of intense scrutiny as the world economic crisis continues to put pressure on governments to cut the costs of the criminal justice system. This volume brings together the leading work on restorative justice to achieve two objectives: to construct a comprehensive and up-to-date conceptual framework for restorative justice suitable even for newcomers, and to challenge the barriers of restorative justice in the hope of taking its theory and practice a step further. The selected articles start by answering some fundamental questions about restorative justice regarding its historical and philosophical origins and challenge the concept by bringing into the debate the human rights and equality discourses. Also included is material based on empirical testing of restorative justice claims, especially those impacting on reoffending rates, victim satisfaction, and reintegration. The volume concludes with a critique of restorative justice as well as with analytical thinking that aims to push its barriers. It is hoped that the investigations offered by this volume not only offer hope for a better system for abolitionists and reformists but also new and convincing evidence to persuade the sceptics in the debate over restorative justice. *Critical Restorative Justice* Ivo Aertsen, Brunilda Pali, 2017-11-16 Theories and practices of justice do not meet the socio-political challenges of our times. For those theorists attempting to develop an alternative to the criminal justice system, restorative justice has provided an alternative horizon. The restorative justice approach involves meeting people, understanding and recognising their

vulnerability through participatory and deliberative forums and practices The aim of this collection is to bridge the distance between restorative justice and the critical theory tradition It on the one hand takes into account the limits of restorative justice as they have been articulated or can be articulated through critical social theory and on the other hand emphasises the ground breaking potential that restorative justice can bring to this tradition as a way to address crimes conflicts and injustices and to pursue justice

The Psychology of Restorative Justice Theo Gavrielides, 2016-02-24 This ground breaking collection dares to take the next step in the advancement of an autonomous inter disciplinary restorative justice field of study It brings together criminology social psychology legal theory neuroscience affect script psychology sociology forensic mental health political sciences psychology and positive psychology to articulate for the first time a psychological concept of restorative justice To this end the book studies the power structures of the restorative justice movement the very psychology motivations and emotions of the practitioners who implement it as well as the drivers of its theoreticians and researchers Furthermore it examines the strengths and weakness of our own societies and the communities that are called to participate as parties in restorative justice Their own biases hunger for power and control fears and hopes are investigated The psychology and dynamics between those it aims to reach as well as those who are funding it including policy makers and politicians are looked into All these questions lead to creating an understanding of the psychology of restorative justice The book is essential reading for academics researchers policymakers practitioners and campaigners

The Restorative Justice Ritual Lindsey Pointer, 2020-12-23 Restorative justice is an innovative approach to responding to crime and conflict that shifts the focus away from laws and punishment to instead consider the harm caused and what is needed to repair that harm and make things right Interest in restorative justice is rapidly expanding with new applications continuously emerging around the world The restorative philosophy and conference process have shown great promise in providing a justice response that heals individuals and strengthens the community Still a few key questions remain unanswered First how is the personal and relational transformation apparent in the restorative justice process achieved What can be done to safeguard and enhance that effectiveness Second can restorative justice satisfy the wider public s need for a reaffirmation of communal norms following a crime particularly in comparison to the criminal trial And finally given its primary focus on making amends at an interpersonal level does restorative justice routinely fail to address larger structural injustices This book engages with these three critical questions through an understanding of restorative justice as a ritual It proffers three dominant ritual functions related to the performance of justice the normative the transformative and the proleptic Two justice rituals namely the criminal trial and the restorative justice conference are examined through this framework in order to understand how each process fulfills or fails to fulfill the multifaceted human need for justice The book will be of interest to students academics and practitioners working in the areas of Restorative Justice Criminal Law and Criminology

**Reconstructing Restorative Justice Philosophy** Theo Gavrielides, Vasso Artinopoulou, 2016-04-08 This book takes bold steps in forming

much needed philosophical foundations for restorative justice through deconstructing and reconstructing various models of thinking It challenges current debates through the consideration and integration of various disciplines such as law criminology philosophy and human rights into restorative justice theory resulting in the development of new and stimulating arguments Topics covered include the close relationship and convergence of restorative justice and human rights some of the challenges of engagement with human rights the need for the recognition of the teachings of restorative justice at both the theoretical and the applied level the Aristotelian theory on restorative justice the role of restorative justice in schools and in police practice and a discussion of the humanistic African philosophy of Ubuntu With international contributions from various disciplines and through the use of value based research methods the book deconstructs existing concepts and suggests a new conceptual model for restorative justice This unique book will be of interest to academics researchers policy makers and practitioners

**Debating Restorative Justice** Chris Cunneen, Carolyn Hoyle, 2010-08-25 Debating Law is a new exciting series that gives scholarly experts the opportunity to offer contrasting perspectives on significant topics of contemporary general interest In this first volume of the series Carolyn Hoyle argues that communities and the state should be more restorative in responding to harms caused by crimes antisocial behaviour and other incivilities She supports the exclusive use of restorative justice for many non serious offences and favours approaches that by integrating restorative and retributive philosophies take restorative practices into the deep end of criminal justice While acknowledging that restorative justice appears to have much to offer in terms of criminal justice reform Chris Cunneen offers a different account contending that the theoretical cogency of restorative ideas is limited by their lack of a coherent analysis of social and political power He goes on to argue that after several decades of experimentation restorative justice has not produced significant change in the criminal justice system and that the attempt to establish it as a feasible alternative to dominant practices of criminal justice has failed This lively and valuable debate will be of great interest to everyone interested in the criminal justice system

**The Routledge International Handbook on Decolonizing Justice** Chris Cunneen, Antje Deckert, Amanda Porter, Juan Tauri, Robert Webb, 2023-07-03 The Routledge International Handbook on Decolonizing Justice focuses on the growing worldwide movement aimed at decolonizing state policies and practices and various disciplinary knowledges including criminology social work and law The collection of original chapters brings together cutting edge politically engaged work from a diverse group of writers who take as a starting point an analysis founded in a decolonizing decolonial and or Indigenous standpoint Centering the perspectives of Black First Nations and other racialized and minoritized peoples the book makes an internationally significant contribution to the literature The chapters include analyses of specific decolonization policies and interventions instigated by communities to enhance jurisdictional self determination theoretical approaches to decolonization the importance of research and research ethics as a key foundation of the decolonization process crucial contemporary issues including deaths in custody state crime reparations and transitional justice and critical

analysis of key institutions of control including police courts corrections child protection systems and other forms of carcerality The handbook is divided into five sections which reflect the breadth of the decolonizing literature Why decolonization From the personal to the global State terror and violence Abolishing the carceral Transforming and decolonizing justice Disrupting epistemic violence This book offers a comprehensive and timely resource for activists students academics and those with an interest in Indigenous studies decolonial and post colonial studies criminal legal institutions and criminology It provides critical commentary and analyses of the major issues for enhancing social justice internationally The Open Access version of this book available at [www.taylorfrancis.com](http://www.taylorfrancis.com) has been made available under a Creative Commons Attribution Non Commercial No Derivatives 4.0 license

**Cultural Competence in Higher Education**  
Tiffany Puckett, Nancy S. Lind, 2020-09-03 This book covers teaching cultural competence in colleges and universities across the United States providing a comprehensive reference for instructors researchers and other stakeholders who are looking for material that will assist them in working to prepare students to become culturally competent

**Restorative Justice**  
Gerry Johnstone, 2013-03-01 Restorative justice is one of the most talked about developments in the field of crime and justice Its advocates and practitioners argue that state punishment society's customary response to crime neither meets the needs of crime victims nor prevents reoffending In its place they suggest should be restorative justice in which families and communities of offenders encourage them to take responsibility for the consequences of their actions express repentance and repair the harm they have done First published in 2002 Restorative Justice Ideas Values Debates is renowned worldwide as an accessible balanced and invaluable analysis of the argument that restorative justice can provide an attractive alternative to traditional responses to crime The second edition includes a new chapter identifying and analyzing fundamental shifts and developments in restorative justice thinking over the last decade It suggests that the campaign for restorative justice has not only grown rapidly in the last decade but has also changed in its focus and character What started as a campaign to revolutionize criminal justice has evolved into a social movement that aspires to implant restorative values into the fabric of everyday life This new edition explores the implications of this development for restorative justice's claim to provide a feasible and desirable alternative to mainstream thinking on matters of crime and justice This book provides an essential introduction to the most fundamental and distinctive ideas of restorative justice and will appeal to students of criminology law or related disciplines or researchers and professionals with an interest in crime and justice issues In addition it extends the debate about the meaning of restorative justice pros cons and wider significance hence it will also be of interest to those already familiar with the topic

*Pursuing Justice, 2nd Edition* Margot Hurlbert, 2020-07-25T00:00:00Z Pursuing justice is daunting It plays out in a variety of contexts like the environment employment the criminal justice system and raises tough issues like racism gender discrimination and poverty But ultimately the aim of studying justice is to achieve it This book is about justice in Canada its definition its boundaries its contradictions and its nuances It is also about the mechanisms and

practices that enable the pursuit of justice It problematizes the notion of justice while defining and pursuing the illusive notion of justice in Canadian society This second edition features updated content from the popular first edition as well as new content about social justice and racism the experiences of racialized persons with police settler colonialism and issues of justice for gender and sexual minorities all from a Canadian perspective Additionally each chapter contains objectives of the chapter case studies and discussion questions

*Perspectives on Justice, Indigeneity, Gender, and Security in Human Rights Research* Laura E. Reimer, Katerina Standish, 2023-06-26 This book is a compendium of emergent global Human Rights Scholarship offering current ruminations on justice indigeneity gender security and human rights This edited collection examines Access to Justice Allyship and Equality Human Rights and Social Justice the Rights of Indigenous People Indigenous Rights and the University Transgender Healthcare Femicide Women Workers Extremism and Misogyny Human Rights and Aging cyberwarfare climate change

**Criminal Justice** Deborah Drake, John Muncie, Louise Westmarland, 2012-12-06 Criminal Justice Local and Global and its sister text Crime Local and Global are two new teaching texts that aim to equip the reader with a critical understanding of the globally contested nature of crime and justice Through an examination of key concepts and criminological approaches the books illuminate the different ways in which crime is constructed conceived and controlled International case studies are used to demonstrate how crime and justice are historically and geographically located in terms of the global local context and how processes of criminalisation and punishment are mediated in contemporary societies Criminal Justice Local and Global covers the way the local can be widened out to look at international transnational and supranational aspects of justice This means that issues such as corporate crime and human rights can be discussed in a comparative and critical way examining the possibility for example of an International Criminal Court cross national jurisdictions of regulation and control such as Interpol and so on Each chapter covers a different area of regulation punishment and process Unlike previous texts the book's approach will be an innovative approach to widen justice to encompass considerations beyond simple local jurisdictions The book will take instances of justice in one jurisdiction and use global examples to illustrate how ambiguous the concept of justice can be

**Criminal Justice and The Ideal Defendant in the Making of Remorse and Responsibility** Stewart Field, Cyrus Tata, 2023-05-18 This book investigates how defendants are assessed by criminal justice decisionmakers such as judges lawyers probation officers parole board members and those involved in restorative justice What attitudes and emotions are defendants expected to show How are these expectations communicated The book argues that defendants at various stages of the criminal justice process are expected to show a more or less free acceptance of guilt and individual responsibility along with a display of appropriate emotions ideally including genuine remorse It examines why such expressions of individual responsibility and remorse are so important to decision makers and the state With contributors from across the world the book opens new comparative possibilities and research agendas

**Civil Justice, Privatization, and Democracy** Trevor

C.W. Farrow, 2014-04-30 Privatization is occurring throughout the public justice system including courts tribunals and state sanctioned private dispute resolution regimes Driven by a widespread ethos of efficiency based civil justice reform privatization claims to decrease costs increase speed and improve access to the tools of justice But it may also lead to procedural unfairness power imbalances and the breakdown of our systems of democratic governance Civil Justice Privatization and Democracy demonstrates the urgent need to publicize politicize debate and ultimately temper these moves towards privatized justice Written by Trevor C W Farrow a former litigation lawyer and current Chair of the Canadian Forum on Civil Justice Civil Justice Privatization and Democracy does more than just bear witness to the privatization initiatives that define how we think about and resolve almost all non criminal disputes It articulates the costs and benefits of these privatizing initiatives particularly their potential negative impacts on the way we regulate ourselves in modern democracies and it makes recommendations for future civil justice practice and reform Law, Responsibility and Vulnerability James Gallen, Tanya Ni Mhuirthile, 2021-09-30 This book addresses how law and public policy cause or exacerbate vulnerability in individuals and groups Bringing together scholars judges and practitioners it identifies how individuals and groups can become vulnerabilised through the operation of law and examines how the State can acknowledge and remedy that impact The book offers not only a theoretical ethical and normative conception of vulnerability in law but also an evaluation of the diverse practices of responding to vulnerability in law through accountability mechanisms and public campaigns The analysis of vulnerability contained in this volume is enhanced by the common use of Ireland as a case study Despite the robust rights protections available at national regional and international level Ireland remains a State where at risk people have experienced vulnerability across a range of thematic areas such as criminal law migration and asylum historical abuse LGBTI rights and austerity Drawing on comparative analyses and a consideration of the role of international law in domestic settings this book offers a comparison of diverse national and transnational attempts to ensure State accountability and responsiveness to legally created vulnerabilities The book demonstrates lessons learned from theory and practice regarding how vulnerability can be experienced by individuals and groups structured by law and addressed through legal and political action This book will be of considerable interest to socio legal and law and society scholars as well as others working in international human rights jurisprudence philosophy legal theory political theory feminist theory and ethics **Cultural Genocide** Jeffrey Bachman, 2019-05-24 This book explores concepts of Cultural genocide its definitions place in international law the systems and methods that contribute to its manifestations and its occurrences Through a systematic approach and comprehensive analysis international and interdisciplinary contributors from the fields of genocide studies legal studies criminology sociology archaeology human rights colonial studies and anthropology examine the legal structural and political issues associated with cultural genocide This includes a series of geographically representative case studies from the USA Brazil Australia West Papua Iraq Palestine Iran and Canada This volume is unique in its interdisciplinarity regional coverage



and the various methods of cultural genocide represented and will be of interest to scholars of genocide studies cultural studies and human rights international law international relations indigenous studies anthropology and history The Health Professions Educator Gerald Kayingo, Virginia McCoy Hass, 2017-08-28 Provides one of a kind in depth guidance for improving effectiveness in the classroom This is the only book for new and midcareer faculty that delivers practical evidence based strategies for physician assistants nurse practitioners and other clinical professionals teaching in advanced health provider education programs The text disseminates interprofessional teaching and learning strategies that can be used across the gamut of advanced clinical disciplines It also features sample curricula and syllabi lecture tips evaluation strategies and in depth information about state of the art technology and virtual classrooms Key pedagogical principles set a firm foundation for both novice and experienced educators and practical applications and case examples integrated into each chapter offer concrete reinforcement The text describes how to design and implement a curriculum that promotes cognitive diversity and inclusion and examines ways to encourage leadership and scholarship It addresses methods for fostering active learning and clinical reasoning through the use of technology simulation distance education and student centered pedagogy Edited by experienced PA and NP faculty who are leaders in interprofessional education the book distills the insight and expertise of top PA nursing and physician educators and provides valuable tools that help faculty become effective educators in the U S and abroad Key Features Delivers cutting edge tools of the trade for advanced health professions educators Provides evidence based strategies for interprofessional education Describes key pedagogical principles for both beginner and advanced educators Includes strategies to promote cognitive diversity and inclusion in the teaching environment Weaves practical applications and case examples into each chapter Offers strategies for faculty to establish and maintain work life balance

**Discourse and Diversionary Justice** Michele Zappavigna, JR Martin, 2017-11-06 This book analyses the Youth Justice Conferencing Program in New South Wales Australia Exploring this form of diversionary justice from the perspectives of functional linguistics and performance studies the authors combine close textual analysis with ethnographic research methodologies They examine how participants use the discourse semantic resources available to them to achieve such outcomes as reparation for the victim reintegration of the offender into the community and reconciliation between the various parties This uniquely researched work is sure to be of interest to students and scholars of applied linguistics sociolinguistics and discourse analysis

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