Preliminary - Subject to change

UNIVERSITY OF MANITOBA

Department of Sociology
Selected Topics in Criminology:

RESTORATIVE JUSTICE: LOCAL AND GLOBAL DIMENSIONS
Sociology 077.374 (L01)

(Term 1, 2002)

Slot 9, 11:30 - 1:00 pm Tuesday and Thursday
322 St. Paul’s College

(‘Break-out’ discussion group room 258 St. Paul’s College)

Instructor: Andrew Woolford
Office: 327 Isbister Building
Office Hours: Wednesday, 1:30 to 3:00, or by appointment
E-mail: Andrew_Woolford@umanitoba.ca
Phone: 474-6058
Credit hours: 3

Course Objectives:

This course focuses on community and nation-based processes of ‘restorative justice’ that are designed to heal the harms caused by crime and historical injustices. Restorative justice is said to be a new ‘paradigm’ for the practice of dispute resolution. Its adherents claim that it heals rather than punishes crime, that it has the potential to transform human relationships, and that it can help build community capacities (e.g., establish helping networks). Currently, restorative practices have been applied to deal with crimes ranging from minor shoplifting offenses to the injustices of South African Apartheid; however, there exists a great deal of controversy surrounding these practices. Some critics suggest that restorative justice ‘widens the net’ of social control, bringing the disciplinary force of the state deeper into communities. Others argue that the ideological underpinnings of restorative justice reflect a conservative, religious worldview. In this class, we will assess both local practices of restorative justice and global trends toward the use of ‘truth and reconciliation commissions’ in order to gauge the promise and the perils of these increasingly popular justice processes. The broad question guiding our efforts will be: is a ‘transformative’ politics of criminal justice possible?

Required Readings:


Additional required readings will be available from the reserve reading room in Elizabeth Dafoe Library

**Assignments and Grades:**

Participation: 20%

Restorative Justice Program Design or Critical Essay: 30%

Mid-term: 20%

Final Exam: 30%

**Class Participation (20%):** In our first class, each student will be assigned to a ‘community group’. Thereafter, students will separate into their respective community groups for the last forty minutes of every Thursday class (except for the final Thursday). During these sessions, students will role-play community members participating in a meeting to discuss how to deal with specific criminological issues that they collectively face (I will provide the topic for discussion prior to each community meeting). At every community meeting, one student will play the role of moderator and another will play the role of ‘minute-taker’. Minutes will be due either at the end of the discussion group or by the next class (after this point the minutes will not be accepted). For each set of minutes, all of the members of the respective ‘community group’ will receive the same mark. Evaluation of class minutes will be based upon the quality of the discussion and the involvement of multiple class members in the discussion surrounding an assigned issue(s) (a more detailed handout on this assignment will be distributed the first day of class).

**Restorative Justice Program Design or Critical Essay (30%):** Students will be required to complete a 10-12 page, double-spaced, essay on one of two term projects.

1) Design a restorative justice project for a specific community. Answer the following questions: What defines your community? What community values will be reflected in your restorative justice program? What are the criminal justice and community goals of your program? What is the ‘mission statement’ for your program? What types of crime will your program address? What agencies or organizations will you accept referrals from? Where will your funding come from? Will your program rely on volunteers or hired practitioners? How will these individuals be trained? What restorative justice tools will
you use in your program? How will you measure the success of your program? What obstacles are you likely to face in the administration of your program?

2) Provide a critical analysis of restorative justice. What problems and/or challenges exist with regard to the theory and application of restorative justice? Do you see restorative justice as, in any way, ‘naïve’, ideological or ‘soft on crime’? What alternative system of criminal justice would be preferable?

Essays are due in-class on November 28. Late essays will be penalized three percentage points per day (weekends count as two days).

**Mid-term Test (25%)**: The mid-term will be held in-class on **Tuesday, October 15th**. It will consist of multiple choice questions (30%) and essay questions (70%).

**Final Exam (30%)**: A two-hour final exam will be scheduled during the University’s Final Exam period. Prior to the end of classes I will distribute a list of 20 potential essay questions. For the final exam I will select 4 of those 20 questions. You will be required to answer in short essays.

(Note: Students are required to provide a medical note within one week if a mid-term test is missed and they require a make-up. The student’s home faculty administers the deferral of final exams.)

**Academic Honesty**: Students should acquaint themselves with the University’s policy on ‘Examinations: Personations’ (p. 27) and ‘Plagiarism and Cheating’ (p. 28) found in the Undergraduate Calendar.

**Grading**:

Cut-off points for converting percentage grades into letter grades:

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**Course Outline**:

**Section One: Defining Restorative Justice**

(September 5th to September 19th)

In this section we will address the following questions:
• What is ‘restorative justice’?

• How does restorative justice differ from retributive justice?

• What is the genealogy of the term ‘restorative justice’?

Readings:

“Crime as Conflict: An Initial Examination” by Gregory R. Schlueter (on reserve)

“Visions and Patterns: Why Patterns of Thinking Obstruct Criminal Justice Reform” by Daniel Van Ness and Karen Heetderks Strong (on reserve)

“Justice Paradigm Shift? Values and Visions in the Reform Process” by Howard Zehr (on reserve).

“Conditions of Successful Reintegration Ceremonies: Dealing with Juvenile Offenders” by John Braithwaite and Stephen Mugford (on reserve).

Chapter 1 of Sullivan and Tifft

Section Two: Practicing Restorative Justice

(September 24th to October 24th)

In this section we will address the following questions:

• What types of justice practices are restorative?

• What are the core components of restorative justice?

• What connections exist between restorative justice and the formal criminal justice system?

• What does the term community mean?

• Is restorative justice at risk of being co-opted by the state?

• Is restorative justice a new form of social control?

• What is ‘transformative’ restorative justice?
What connections exist between restorative justice and processes of globalization and the ascendancy of neoliberalism?

Readings:

Chapters 2 through 9 of Sullivan and Tifft.

“Reconsidering Restorative Justice: The Corruption of Benevolence Revisited” by Sharon Levrant et. al. (on reserve)

“Deconstructing Restoration: The Promise of Restorative Justice” by George Pavlich (on reserve).

Section Three: Restorative Justice and Intergroup Reconciliation

(October 29th to December 3rd)

In this section we will address the following questions:

• What are crimes of mass violence?
• How do we deal with the crimes of the past?
• Is there a path between vengeance and forgiveness in dealing with historical crimes?
• What are the advantages and disadvantages of trials, truth commissions, and reparations?
• How do parties previously at war with one another reconcile their differences?
• What is the “healing power of truth”?
• Is it necessary, or even possible, to “forgive and forget” crimes of mass violence?

Readings:

Chapters 1 through 6 of Minow.

Voluntary withdrawal deadline is November 13, 2002.
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