

Using Restorative Practices to Fix Democracy

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- Kathleen Daley says restorative justice is defined too widely for research; too capacious and imprecise.
- Elaine Shpungin, on the other hand, says restorative justice is “a transformational, society-wide, lens-shifting, all affecting revolution...”
- IIRP resolves the definitional dilemma by defining restorative justice as a subset of restorative practices.
- RP includes proactive and reactive, formal and informal strategies that build relationships and community and prevent or respond to wrongdoing.

RP's unifying fundamental hypothesis

Human beings are happier, more cooperative and productive, and more likely to make positive changes in their behavior when those in positions of authority do things *with* them, rather than *to* them or *for* them.

The common denominator for all restorative practices is **a paradigm shift in the nature of governance and how those in charge use their authority.**

John Braithwaite

Australian criminologist

- “The lived experience of modern democracy is alienation.”
- “The feeling is that elites run things, that we do not have a say in any meaningful sense.”
- Restorative practices serve as a “crucial vehicle of empowerment where spaces are created for active responsibility in civil society.”

Rob van Pagée

Dutch FGC pioneer

- Family Group Conferencing (FGC) and other restorative practices foster a new kind of welfare state “in which the government is retreating and citizens are exerting their responsibility to resolve issues that previously presupposed government intervention.”
- The practice of FGC provides a critical realization: ***in the right circumstances ordinary people make as good or better decisions than experts.***

Barry Stuart

Canadian Yukon Territory Judge

- The sentencing circle is a community choosing to “roll up its sleeves” to solve its own problems.
- “We’re living now in this la-la land where nobody really participates. It’s all done by professionals... we’ve outsourced everything.”
- Stuart echoes the sentiments of Norwegian sociologist Nils Christie in “Conflicts as Property,” that the courts steal people’s conflicts from them.

Yuval Noah Harari

Author of Sapiens: a brief history of humankind

- “The most momentous social revolution that ever befell humankind: the collapse of the family and local community and their replacement by the state and the market.”
- “From the earliest times, more than a million years ago, humans lived in small intimate communities, most of whose members were kin...Families and communities remained the basic building blocks of all human societies.”
- The Industrial Revolution...managed within little more than two centuries to break these building blocks into atoms.”

Jürgen Habermas

German sociologist

- Harari's historical account supports Habermas' long standing assertion that the modern 'system' of government and business has pushed aside the 'lifeworld' of family, friends and community.
- The system is modern society with its paid professionals, while the lifeworld is the network of relationships who look out for each other, not because they are paid, but because they care.
- Restorative practices bring the lifeworld into the system and help restore the balance between the two.

“Restorative practices is the science of restoring and developing social capital, social discipline, emotional well-being and civic participation through participatory learning and decision-making.”

Case for a New Academic Discipline, 2006
Accepted by Pennsylvania Department of Education

A Theory of Everyone

All social entities, whether families, classrooms, organizations, workplaces, or whole countries, would function better if authorities gave stakeholders more voice and more choice in exchange for stakeholders taking greater responsibility.

Three Hopeful Examples

- Community Processing
- A Small Group
- Sortition or Lottocracy

Can RP Fix Democracy?

So what are the problems that need to be fixed
and how might restorative practices help?

Let's Choose Legislators
Randomly from the Phone Book

How the Flaw in Elections Foisted Prohibition on America

How Elections Drive Out the Good Guys

Guessing an Ox's Weight and the Future of Democracy





Six facets of a New Reality

- They may be perceived and used in several ways.
- *As descriptors* to map RP developments and to compare them to one another
- *As needs* that must be addressed by society
- *As lenses* through which the other facets can be viewed

RP operationalizes the Golden Rule

- It's easy to pay lip service to “treating other as you would like to be treated” but harder to actually do it amidst the challenges of life.
- RP engage us in explicit processes that avoid or repair harm, build relationships and promote good decision-making, even in the midst of complexity and conflict.
- Because meaningful engagement— doing things *with* — achieves the best outcomes, it is at the heart of everything we do.



