

Theo Gavrielides



Power, Race, and Justice

The Restorative Dialogue We Will Not Have



“This timely book invites readers to explore power, justice, and race in multiple places and from multiple perspectives. It challenges us to consider our own abilities to craft new narratives of identity and truth, transform ineffective or unfair systems, and contribute to racial healing. I highly recommend this book as both a learning tool and as a source of inspiration for educators, activists, and peacebuilders.”

– **Professor Maya Soetoro-Ng, Obama Foundation and University of Hawaii, USA**

“Racial injustices that intersect with other injustices are daunting in their intersectionality. Yet this is a book that refuses to feed our despair. It infuses our imaginations with an empowering vision for hope and governance. Theo Gavrielides opens pathways to implementing the Martin Luther King imaginary that ‘If I cannot do great things, I can do small things in a great way.’ Slavery is a neglected topic in the restorative justice literature. This is a book that begins to redress that failing with a fresh approach. Theo Gavrielides’ new monograph advances a politics of inclusion and fusion of insights from theory and practice so evocatively and with such eloquence.”

– **Professor John Braithwaite, Australian National University, Australia**

“This provocative new book by Theo Gavrielides provides a powerful reminder of the radical promise and potential of restorative justice. Employing philosophical analysis and lessons from his own pioneering work in developing community-led initiatives, Gavrielides reveals the possibility of challenging unjust exercises of social power and racial injustice through restorative justice, yet is also unflinching in his exposure of the shortcomings of much conventional restorative justice thought and practice. An important work for those who still believe in the possibility of, and our responsibility for bringing about, progressive social change.”

– **Professor Gerry Johnstone, Hull University, UK**

“Theo Gavrielides has clearly written from his heart and spirit as well as his mind, as he wrestles with the challenge and potential of justice and restorative justice. The book covers a surprising breadth of the restorative justice landscape – from deep probing of philosophical roots to detailed observations about implementation and the impact of restorative practices on the

lives of individuals. This is a very timely contribution to the restorative justice literature. Theo Gavrielides offers us a way to pause, to reach deep into our sense of purpose and take stock of where we are and where we want to be headed with this new momentum.”

– **Kay Pranis, Independent Trainer and Facilitator for Peace-Making Circles, Leader in Restorative Justice and Circle Process movements**

“This is a most significant and original book, the outcome of no less than 20 years of Theo Gavrielides’ work in the fields of equality and justice. Even after teaching restorative justice for a long time, I have found it a most inspiring book for it provides, inter alia, numerous lenses through which to address and redress afresh global and local inequalities and justice by focusing on the pivotal role of power and its dynamic interactions with race and justice. I strongly recommend this book to restorative justice practitioners, tertiary students and criminal justice students, teachers and researchers.”

– **Emeritus Professor Andreas Kapardis, Department of Law, University of Cyprus**

“This is a seriously important contribution to restorative justice, which will make you think out why and how you are a part of, or should be part of, the restorative justice movement. Restorative justice has not come to life separate from its historical context, and this seminal piece of writing may help you to articulate your feelings about it and the supposedly stable society in which we all now labour.”

– **Dr Paul Kiff, Director of the Research Advice Service, Senior Criminologist, former Director of the British Society of Criminology and long-time Secretary to the UK Penal Affairs Consortium, UK**

“Theo Gavrielides takes the reader on reflexive journey that results in personal transformation and implications for researchers and practitioners in restorative justice. The analysis seeks to demystify the unacknowledged impact of power at the center of restorative processes, a veil that serves to maintain status quo power arrangements. This may be an uncomfortable read for those who have not examined their own positionality, but the author offers guidance to mitigate the discomfort and arrive at a deeper understanding of restorative processes.”

– **Professor Daniel Christie, Professor Emeritus of Psychology at Ohio State University, USA**

“I am grateful that Theo Gavrielides has found the time to write this deeply personal, and therefore all-the-more engaging account of the challenging that needs to happen to keep our restorative work on the right path. He’s right about the discomfort that is triggered in reading his words. I hope to, after almost three decades working in schools and workplaces as a restorative practitioner, author and trainer, to remind myself and not lose sight of the “mermaids and sirens” that can tempt us from the path and cloak the real issues. The case studies are all stories of empowerment and narratives that speak about the unspeakable – only possible when we are prepared to be vulnerable – the ultimate move away from domination and the only way to re-connect after disconnection. Keeping relationship at the heart of justice as healing and justice as fairness.”

– **Margaret Thorsborne, Managing Director of
Margaret Thorsborne & Associates, Australia**

“Dr Theo Gavrielides has done a fantastic job introducing race, justice, restorative justice, and historical philosophies in ways that even the younger generations across various professions and communities can read and understand. Readers are given the opportunity to learn about research that combines critical thinking and the development of new normative ideas and methodologies. The timeliness of this book is simply perfect as the world is learning of new ways to respond to community-based challenges and global social justice issues. I highly recommend this book to professors to use in the classroom.”

– **Dr Keyria Rodgers, Director of Criminal Justice,
Millikin University, USA**

“An essential read for social workers and others in human services. The case studies in this book demonstrate in practical terms how one regains control and brings back the balance of power in their lives. Through the use of a variety of modalities, including healing circles, practitioners can help clients confront the harm they have done and seek to reconcile those impacted by their harm.”

– **Penelope Griffith, Executive Director, Collaborative
Solutions for Communities, USA**

“In the face of growing inequalities and the increasing questioning of both the morality and efficacy of contemporary approaches to ‘justice’, is there a new zeitgeist, especially for young people? And is restorative justice, in a variety of forms, the new paradigm for responding to it? Through an imaginative and provocative blend of philosophy, incisive critique and empirical

illumination, this book takes on the issues, concluding that restorative action is embedded within established human rights.”

– **Professor Howard Williamson CVO CBE FRSA FHEA,
University of South Wales, Wales, UK**

“This is a rich, timely and compelling account which challenges our assumptions about power, race, justice and restorative interventions. Written in a way that engages the reader throughout, the book offers us fresh ways of thinking about those key concepts, and a framework designed to elevate cross-disciplinary knowledge, foster critical thinking and shape policy. As such it is a welcome addition to the existing literature and feels genuinely ground-breaking in its scope and ambition.”

– **Professor Neil Chakraborti, Director of the
Centre for Hate Studies, University of Leicester, UK**

“The popularization of restorative justice threatens to turn it into a buzz word, with focuses primarily on how best to implement it and on its potential for positive outcomes for individuals, communities and societies. In this engaging and insightful book, Theo Gavrielides draws on a rich array of knowledge across fields and times to ask foundation questions. What does power entail? How does it intersect with race and philosophical perspectives on justice? Addressing these difficult inquiries, Gavrielides’ readable, critical, and nuanced text challenges our thinking by wrestling with how the practices of restorative justice can address deeply rooted, unjust systems.”

– **Professor Gabriel Velez, College of Education,
Marquette University, USA**

“This book is a collection of reflection and scholarly writings of Dr Theo Gavrielides who exhibits a distinct set of discourse. His reflection on restorative justice is from lenses of power, race, and justice, and writings are full of vivid demonstration of theoretical discussions and practical solutions. Based on theory and research evidence, this book not only subverts the power of interpreting restorative justice, but also brings up insightful ideas and debates on how the pre-conceived ideas of restorative justice can be transformed. It also attempts to provide suggestions for redefining roles of restorative justice and reshaping it into a better practice for those who are coming from different classes sectors, cultures, identities, and racial backgrounds. I highly recommend it to university students, criminal justice related personnel, restorative justice practitioners and criminologists.”

– **Professor Dennis Wong, Department of Social and
Behavioural Sciences, City University of Hong Kong**

“Twenty-years in the making, this new book from Theo Gavrielides delivers a thoroughly compelling exposition on justice and restorative justice; how do we and could we conceptualise and deliver justice and restorative justice? how do we and could we best grasp their nuanced, interlocking connection with power, (ab)use of power, responsibility, human rights and actions-out-of-hope? The book combines critical synthesis of theory and research, insights from large-scale field work, original philosophical dialogues and, in its final section, showcases a collection of vignettes written by practitioners and users of the justice system from across contexts and countries. Well informed, balanced, reflective, not shy from tackling difficult questions, with important and tangible implications for policy and practice – the book is a must read for students and professionals alike.”

– **Professor Aneta D. Tunariu, Dean of School of Psychology,
University of East London, UK**

“Theo Gavrielides’ book is a tapestry of theory, research, and case studies woven together to interrogate race and power dynamics in restorative justice. He opens by being vulnerable about his own path, internally and externally, to understanding and implementing restorative justice. This vulnerability invites the reader to reflect on our own missteps as proponents of restorative justice and imperfect human beings. Through personal reflections about his racial positionality in a field that has historically alienated practitioners of color, he opens the door for the reader to ask important questions about how we can reduce power imbalances in our personal lives and in our antiracist work in restorative justice.”

– **Anita Wadhwa, Restorative Justice Coordinator,
Yes Prep Northbrook High Co-Founder,
Restorative Empowerment for Youth:
*Empowering Youth, Transforming the World***

“This book, by a leading researcher in the restorative justice movement, is written to make people think, and it does. Through a mixture of theoretical discussion and practical examples it explores the variety, creativity and potential of the restorative justice movement, while also showing how its efforts to empower participants conflict with social structures that systematically disempower. We are challenged to think critically about justice, inequality, race and power, and in the process to develop a more comprehensive and theoretically grounded conception of restorative justice. This is a significant and thoughtful contribution which deserves to be widely read.”

– **Professor Peter Raynor, Professor of Criminology, Swansea
University and Visiting Professor, University of South Wales**



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POWER, RACE, AND JUSTICE

We are living in a world where power abuse has become the new norm, as well as the biggest, silent driver of persistent inequalities, racism and human rights violations. The COVID-19 socio-economic consequences can only be compared with those that followed World War II. As humanity is getting to grips with them, this timely book challenges current thinking, while creating a much needed normative and practical framework for revealing and challenging the power structures that feed our subconscious feelings of despair and defeatism.

Structured around the four concepts of power, race, justice and restorative justice, the book uses empirical new data and normative analysis to reconstruct the way we prevent power abuse and harm at the inter-personal, inter-community and international levels. This book offers new lenses, which allow us to view power, race and justice in a modern reality where communities have been silenced, but through restorative justice are gaining voice. The book is enriched with case studies written by survivors, practitioners and those with direct experiences of power abuse and inequality. Through robust research methodologies, Gavrielides's new monograph reveals new forms of slavery, while creating a new, philosophical framework for restorative punishment through the acknowledgement of pain and the use of catharsis for internal transformation and individual empowerment. This is a powerful and timely book that generates much needed hope.

Through a multi-disciplinary dialogue that uses philosophy and critical theory, social sciences, criminology, law, psychology and human rights, the book opens new avenues for practitioners, researchers and policy makers internationally.

Theo Gavrielides, PhD, is a legal philosopher and a restorative justice expert. He is the Founder and Director of the Restorative Justice for All (RJ4All) International Institute, and the Founder of The IARS International Institute. He is a visiting professor in universities in the UK and abroad, and the Editor-in-Chief of RJ4All Publications, the *International Journal of Human Rights in Healthcare*, the *Youth Voice Journal* and the *Internet Journal of Restorative Justice*. He has edited over 20 books, and published extensively on restorative justice, violent radicalisation, criminal justice, human rights, youth justice and equality. <https://www.theogavrielides.com/>.



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POWER, RACE, AND JUSTICE

The Restorative Dialogue We Will
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Theo Gavrielides

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“Every time I see a butterfly, I remember how frail and yet how powerful natural beauty is. Compared only with the work of an artist, their fragile wings are more than just for admiration. They allow the insect to fly, an act that even us humans cannot perform. But what is more profound about the existence of butterflies is the life path they have to take before they become beautiful flying creatures of admiration. Starting from a cocoon, they are first caterpillars, crawling for their survival.

Our true existence follows the same life journey. Our first awakening is the cocoon that will lead to our first becoming. I hope that this book pulls all of us cocoons towards our true existence.”

Dr. Theo Gavrielides

Dedicated to my father Konstantinos Gavrielides



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FOREWORD

Theo Gavrielides seeks to enrich the diversity and malleability of the restorative justice conversation with particular reference to race and power in this book. He discusses from various angles the risk of restorative justice losing its humility by becoming a colonial domination of sorts. Elders of restorative justice in particular must constantly ask themselves what they have done to relinquish power lately, to shift power to renew younger or struggling social movement actors. **This is a book that helps us to view race and domination in a new way. It helps us learn how to challenge persistent inequalities through the twin eyes and the shared space of human rights and restorative justice.** Theo's idea of the shared space between the human rights movement and the restorative justice movement gives us a sophisticated philosophical foundation for tackling injustice.

More broadly, the book argues against a technical approach to power that disregards the imperative for personal reflection. This is a book that starts with restorative self-critique of our movement, with its many flaws and disappointments. Political and social change do best when accompanied by 'personal change from within' that is accomplished by 'self-challenge'. This was also an important message in cognate movements to restorative justice such as Gandhi's nonviolence – being the change we wish to see in the world.

Racial injustices that intersect with other injustice are daunting in their intersectionality. Yet this is a book that refuses to feed our despair. It infuses our imaginations with an empowering vision for hope and governance. Theo opens pathways to implementing the Martin Luther King imaginary that 'If I cannot do great things, I can do small things in a great way.' Restorative justice opens up spaces not only for theorists and pracademic entrepreneurs like Theo to do this, not only for restorative practitioners, but for every participant in a circle to do some small thing in a great way.

Theo's book advances a politics of inclusion and fusion of insights from theory and practice so evocatively and with such eloquence. One way this is accomplished is through concise stories in Part IV of over 30 restorative cases retold by 25 thoughtful practitioners or active justice participants. Particularly for readers who are beginning at learning about restorative justice, one good way to read the book could be first to dip into a selection of the case studies on topics that interest you most in Part IV, then to move to Theo's Introduction and his Part I. I learnt so many new things here, such as from Theo's illuminating analysis of the thought of Aristotle. At the end of Theo's monograph, you might return to reflect with enriched insight upon the remaining Part IV narratives.

Theo's analysis includes a fresh perspective on the intersection of race, terrorism, and tyranny of control through security. In some countries, the restorative justice movement has been actively engaged with the politics of race and of national security states, but in many other societies the book reveals that its contribution has been limp rather than edgy. Theo's lens sees power abuse that 'racialises' groups and identities and promotes religious discrimination.

Slavery is a neglected topic in the restorative justice literature. This is a book that begins to redress that failing with a fresh approach as well. Drawing on Kevin Bales's *Disposable People*, Theo argues that liberalization of markets for products and people has made it so cheap to buy people that a new form of slavery is created. It avoids actually owning slaves. Rather they are rented in quick and dirty relationships at a long distance from us when we enslave women in a Bangladesh garment factory in which they might die in a fire enabled by exploitative conditions of work. Or they die in a Coltan mine in Congo where miners work at the behest of armed groups that also inflict mass rape on these same communities. This form of neoliberal enslavement tends to be more profitable than the old slavery of importing and owning slaves.

Restorative justice writing has until now been rather mute about how to respond to this new slavery. Restorative justice workers and thinkers well know that they benefit from the cheap, ephemeral fashions they wear, from the coltan in the laptops and phones they tap. We choose denial over restorative justice when we decline to think about it, to politically engage with it, decline to talk about it too much. Restorative justice is a tradition that rarely acts globally; it does not even think-globally-act-locally for the most part. It mostly settles for acting and thinking locally. Of course acting locally is a noble, generous thing. But if we live in a rich country, and that is all we do, our actions make another little contribution to increasing global inequality. This is because all the bounties of giving that restorative people in rich countries give go to other people in rich countries. There are pathways to doing in a great way some small thing about global injustice and the new slavery. Then we have done our bit to restore that imbalance in the way our lives speak truth to the power of injustice.

Some young restorative justice activists can even aspire to be a future Kay Pranis who lives a life that has accumulated thousands of small things to redress global injustice in great ways. Watch and you will learn from Kay that when she enters a

circle of poorer people from some poorer country than her own, she arrives with a certain humility, kindness, grace. That is not to make any colonising point that Kay is the gifted Westerner who can do this more powerfully than a local Maori elder unusually gifted with *mana*, or an African elder who infects an African circle with *ubuntu*. No, Kay cannot do that bigger thing. But she can radiate her Minnesotan love in her Minnesotan way. I learn from Kay as I struggle at improving my more spiritually shallow ways of radiating love and care. If all Kay has to do to accomplish a little thing in a great way is walk into a room, contacting and infecting the humanness of others, we can at least aim to fail better as we learn from her how to pass on our tiny spoonful of love, care, time and our small gifts. Of course, as we all should aim to do, Kay does so much more than just walk into rooms! Yet rituals of graceful greeting are essential starting points for conversations that lead us to discover our own pathways to restoring global justice.

One of the central messages of this book is that we must not standardize restorative justice. We must help it to be a growing and learning tradition that continually shifts its goalposts. Likewise, as we learn from the wisdom of the many great practitioners and survivors within the covers of this book, however much we learn from them, we must grow in our own way that is authentic to the restorative strengths of our own loves, of our own being.

John Braithwaite

Canberra

(which means ‘meeting place’ in the Ngunnawal language).

PREFACE

I am humbled to be invited to offer my reflections on this book. I wish to begin by honoring the land, the ancestors, the original people of the land we each inhabit, the water and rocks, the plants and animals, the sun and the moon and the precious air we all share. I begin in this way because one of the important ideas in restorative justice is the recognition that everything in the universe is profoundly interconnected. So, I begin by honoring and giving gratitude to other parts of the universe to remind myself I am dependent on those other parts. I do not exist alone.

Theo has clearly written from his heart and spirit as well as his mind as he wrestles with the challenge and potential of justice and restorative justice in this moment. The book covers a surprising breadth of the restorative justice landscape – from deep probing of philosophical roots to detailed observations about implementation and the impact of restorative practices on the lives of individuals. Theo's questing passion infuses the book with an energy of inquiry and love to encourage us all to continue this life-long journey of learning and discovery.

Exploring and learning through very different pathways Theo and I come to many similar places in our conceptualization of restorative justice. It is fascinating for me to read about the connections to Aristotle and other iconic figures in the history of Western philosophy. I am completely unschooled in this discipline. I came to the work I do accidentally. I am not an academic scholar or a researcher. I do not know the foundational writers and thinkers of philosophy or psychology or law or the criminal legal system or victimology or sociology or mediation. I stumbled into the field of restorative justice and it spoke to my deep sense of life and relationship.

My learning has been from the thousands of people that I have interacted with along the journey. My own understanding of the philosophy that guides this way of being in the world was highly influenced by Indigenous People. The world view I was exposed to among Indigenous People shaped my current sense of the universe, both in the natural world and human nature. Along the path I noted that the world

view of Indigenous People shared concepts with other wisdom traditions such as Buddhism. Howard Zehr connected restorative justice to concepts in the Bible. And now Theo connects restorative justice to key thinkers in the tradition of Western philosophy! It is the hallmark of a powerful idea that people come to that idea from many different directions, life experiences and conceptual frameworks.

Because my introduction to restorative justice was the writing of Howard Zehr, from the beginning of my own journey I understood that restorative justice was a different paradigm for the criminal legal system. Over time I realized that the criminal legal system is a manifestation of the larger social paradigm of our culture. In order to change the paradigm of the legal system it would be necessary to change the paradigm of the larger culture that it represents. That was a much bigger, more daunting task – but also a more hopeful one for me. My work in restorative justice and peacemaking circles became about cultural transformation not just legal system transformation. My journey in the fullness of that concept was aided by the Brazilians who conceptualized their restorative justice work under a larger umbrella of creating a Culture of Peace.

Theo offers and explores many important ideas in this book that I believe can move us toward cultural transformation through the framework of restorative justice. I want to highlight a few that resonate deeply with my lived experience and sense of urgency in the work. The first of those is the importance of paying attention to power. Power operates all the time in our relationships but we are often unaware of how power is operating – especially if we are the one holding more power. Unintentional harm is frequently the result of unexamined power relationships. A primary goal of restorative justice for me is the redistribution of power, but if we do not understand how power is distributed originally, we will not be able to assess whether we have redistributed it in a restorative process. Theo speaks eloquently about the role of power in issues of equity and voice and about the importance of a constant consciousness in theory and practice regarding how power is functioning. He begins the book with a discussion of power and returns repeatedly to an examination of power, including that held by restorative justice practitioners.

Another important theme in Theo's book is the centrality of our own internal work as restorative justice practitioners. Parallel to the external work we do with others as colleagues or clients, many of us find ourselves on a journey of internal work of healing and repair and internal reflection on applying the values in our own lives. This was not obvious to me at the beginning of my journey with restorative justice. It grew organically out of the direct experience of restorative practice and the continual participation in discussions about values. The inner work shapes how we hold ourselves in relationship with others and because restorative justice is relational work that inner work is foundational to effective practice. Theo writes, "without an internal monologue and a willingness to relinquish power ourselves, this journey that we are taking together will be without purpose." This theme arises again and again as Theo reminds us that this is work of challenging our own training and socialization, our own mindset.

Theo's discussion of 'restorative pain' brings a valuable insight to our understanding of the dynamics of healing. It also clarifies a common misunderstanding about restorative justice. Because restorative justice is not interested in punishment many assume that it does not create pain. In fact, the process of accountability in restorative justice is a very painful process. The pain comes from inside when we truly take responsibility for causing harm to another human being. It is not pain inflicted from the outside. Through the pain of taking responsibility we can grow and heal the wounds we cause to ourselves when we harm another.

Theo suggests that the lack of a clear definition of restorative justice is not only not a problem, but reflects the very essence of its nature as alive and dynamic. I agree wholeheartedly! His analogy to water is delightful, "Scientists will look at water and define it as H₂O. But in the pursuit of truth, and a higher sense of knowledge that is continuously moving, we will see water as an untamed form of nature that can take almost unlimited shapes, forms and roles. Not one definition."

Theo makes a strong case for wariness concerning standardization of protocols or training or practitioner certification. He writes, "Put another way, restorative and other types of community justice are not processes that can be standardised so that they can be initiated through automated structures and concluded with a guaranteed result. They may involve considerable timescales and shifting goalposts." I strongly support this position. The intentions of standardization are typically to ensure quality control. However, the familiar models of quality control are based on the paradigm of the status quo. Those models replicate the power structures of the status quo and consequently undermine the very purpose of restorative justice as a pathway to equality. The familiar models do not recognize other ways of knowing or the importance of allowing key participants to shape their own process. We need quality assurance processes based in restorative principles. That begins with self-reflection and collective reflection and feedback from those most impacted by the process.

I want to acknowledge the excellent work in this book linking restorative justice to human rights. That linkage is very underdeveloped in the US. We can benefit from Theo's carefully constructed weaving of the two movements.

In this book Theo raises very useful questions for the restorative justice movement and provides much food for thought. This is a very timely contribution to the restorative justice literature. We are in a moment of rapid growth with all the attendant pressures and risks. Theo offers us a way to pause, to reach deep into our sense of purpose and take stock of where we are and where we want to be headed with this new momentum.

I wish to acknowledge every reader with my gratitude for your energy and interest. These words are nothing without you!

Kay Pranis

Independent trainer and facilitator for peacemaking circles,
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INTRODUCTION AND ACKNOWLEDGEMENTS

1 Courage, strength and responsibility

I rarely get the time or the freedom to write on my own terms. Those who have met me know that I rarely stay still and that my brain tends to process multiple thoughts at the same time, often with no connection. This is something that I have struggled with since childhood (they now call it attention deficit hyperactivity disorder). It is only after a lot of embarrassment, failed tests, self-doubt and hard work that I gained the confidence in my ability to write about my thoughts and, more importantly, my emotions. I have also learned that it is not a bad thing to have scattered thoughts, as they are merely a reflection of the rich and complex experiences that we consciously, or subconsciously, absorb during our life journey. And life is not a structured experience, especially when it comes to relationships. This is one of the reasons I find writing therapeutic, as it structures my nebulous concepts and calms my brain.

One of my favourite parables is that of the hummingbird (Yahgulanaas, 2008)¹. In this story, which was inspired by the Quechan (an aboriginal American tribe), Dukdukdiya, a little hummingbird, is watched by the burning forest's animals as she flies back and forth, back and forth carrying one drop of water each time in an effort to put out the fire. The animals ask Dukdukdiya the meaning of her efforts and warn her of the dangers; the little hummingbird replies: "I am doing what I can". Just like Dukdukdiya, this book is about hope as this is found in the power of our individual actions – or inactions. Every one of us has strength and courage, independently of how powerless we may appear or are made to feel. With this courage comes counter-power and change independently of how fatal the fire may seem to be. But external change is not possible without first attempting an internal one.

1 <http://faculty.washington.edu/kbunn/Yahgulaanaas%20Hummingbird.pdf> (accessed in March 2021).

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In fact, this book celebrates 20 years of scattered thoughts, complex relationships and numerous attempts for an internal change. During this time, the learning that I was able to receive and give has been incredible, and I hope that each chapter reflects this. When I set off on this journey, I was a young migrant with an ambition to make a difference in the way justice is conceptualised and delivered. For every step forward, there were always two steps back, whether these were due to my inexperience, excitement and naivety, or factors that were out of my control. But I was never alone in this journey, despite moving to a country with no relatives or an existing support network. And I am well aware that I am not an easy person to be with. I am very stubborn, especially when it comes to my beliefs and worldviews. This should explain why I tend to be inspired by those whose convictions in life are strong (even when they are wrong). I myself have been wrong many times but also fortunate enough to be guided from my early restorative justice days by incredible individuals, including scholars such as John Braithwaite and Gerry Johnstone as well as practitioners such as Ben Lyon. I owe them much gratitude.

During this 20-year journey, I gained and lost many friends and colleagues. I also lost my dad, who first inspired me to pursue the path of justice. A lawyer himself, he would take me to his office and court appearances, show me the tricks of the trade as well as the harsh reality of the justice system. At age 10, I would spend most of my school holidays pretending to be the next best lawyer! However, to my dad's (initial) disappointment, my wish to become a lawyer changed, as more people supported my journey in the pursuit for a different kind of knowledge. As I was gradually exposed to other realities outside of my small country of origin, I felt compelled to explore and indeed contribute to what I saw as a parallel and significant justice world, where our individual sense of fairness did not always reconcile with what people, like my dad, were paid to do as a job. In this world, lawyers, judges and the justice system as we got to know them had little significance. As I will argue in this book, this world is as important in our experience and perception of fairness as the visible, structured ways of delivering justice.

2 Acknowledgements

I thought that it would be fitting to start my new monograph with a personal note, as the journey that I took to write it involved a great amount of self-transformation and questioning.

Now, 20 years later, I am able to combine my personal learning and world-view with hard and original evidence, which I collected through the two international NGOs that I set up (The IARS International Institute² and the RJ4All International Institute³), as well as various independent research programmes, which I was funded to carry out locally, nationally and internationally. Some of this research

2 www.iars.org.uk (accessed in January 2021).

3 www.rj4all.info (accessed in January 2021).

has appeared in peer-reviewed articles and books but never in a collective manner that articulates the concerns, but also hopes, which I accumulated in this book.

Much gratitude goes to my son, Tommy Gavrielides, as well as Sophy Gavrielides and Juozas Kelecius for teaching me how to balance life and indeed my own power, which I know I often abuse. The patience and love that I experienced through them are the ingredients that make happiness and that I believe to be available to everyone, including you reading this book. Combining personal worldviews with empirical data was a difficult task. Similarly, it was difficult switching from writing as a researcher to expressing my raw emotions were. Despite the risks involved in this approach, I took a chance as I made my own effort to make a change from within.

And I would like to acknowledge so many other people and institutions, including the publisher and the funding bodies, which supported the research that allowed me to collect the data for the book. I am also grateful to the staff, volunteers and users of my two NGOs who worked under my leadership and believed in my vision of how to serve justice.

Much gratitude also goes to esteemed colleagues who took the time to read early drafts of this book, including Kay Pranis, George Pavlich, Howard Williamson, Margaret Thorsborne, Paul Kiff, Dennis Wong, Gabriel Velez and Gunjan Sharma. I am particularly grateful to Gerry Johnstone and Ben Lyon for triggering a number of questions that helped my awakening but especially for their friendship and belief in me. Special thanks also go to Aneta Tunariu for supporting my work as well as my friends Paval Dhaliwal and Vasso Artinopoulou.

I could not think of a better celebration of my 20 restorative justice years than John Braithwaite's and Kay Pranis' introductions to this book. Their wisdom and kindness have acted as pillars of my contributions and an inspiration to continue for yet another 20 years!

3 Awakening

I have always felt that there was something lingering in the background of all my projects, work and writings. A bigger picture that I could not see. The issue that I would not address. The dialogue that I would not have.

This feeling gradually became stronger as I learned to observe myself, my actions (or inactions), fears and insecurities. My background in legal studies as well as my day job did not help me to understand this feeling. In fact, they distracted me from investigating it. However, philosophy and privileged moments of true dialogue with friends and colleagues gradually helped me to start painting the hidden picture.

As brain specialists and cognitive psychologists would say, we create meanings through a process of visualisation of images infused with feelings that lead to connections. The word 'table', for instance, creates a visual image of a surface (most often square) standing on four legs. Conversely, when viewing something resembling this image, our brain labels it 'table'. Interestingly, online search engines function in a similar way. Try searching for images using the word 'table' and you will most likely get thousands of hits resembling the aforementioned description.

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Now, try to visualise the word ‘justice’ or even ‘criminal justice’. When I applied the test of using search engines, my hits rendered the same images that were in my mind. These were the balanced scales of justice, the blindfolded Greek Goddess Themis (again holding the balanced scales of justice and a sword), holding hands, or a fist.

Reflecting on the findings of this homemade test, I came to realise that most of us visualise justice in this way simply because we view it as a virtue, a value-based notion, a higher purpose and an honourable goal that can give essence to our life paths and sacrifices. My brain did not allow me to visualise justice in the form of prisons, courts, suited white men or ministries and politicians. This led me to believe that our brains deny diminishing justice to an image of anything less than a representation of a higher existence. Yet, when an injustice takes place, we ask for prison bars, tall walls, courtrooms and lawyers. Not for this higher existence.

I have come to believe that this subconscious behaviour is no coincidence. It is part of the hidden picture, which I could not see for years. It is also the result of many decades of conscious planning to achieve what Foucault and many others have called “power and control” (1991). Shirley Chisholm also said in *Unbought and Unbossed*: “Racism is so universal in this country, so widespread, and deep-seated, that it is invisible because it is so normal” (Chisholm, 2010, p. 45). By controlling our sense of justice, our expectations can be directed and subsequently the reality can be manipulated. Without this manipulation, there can be change, and change is a threat to the status quo that leads to power abuse and inequality.

Admittedly, the literature on power, its definitions and different forms, and how to develop or diminish it (whether at the inter-personal, inter-community or inter-state level) is rich. Yet never before have we so silently succumbed to forces of power defining our lives’ purpose, every-day reality and future. This realisation is a very scary feeling indeed. But this fear is not bad. In fact, it is constructive and honest. It can lead to change and improvement. I therefore, embrace it and use it to change from within.

It is a different kind of fear, which I want to expose in this book as being inconspicuous and dangerous. As I write this introduction, the world is experiencing unprecedented health and socioeconomic impacts, which can only be compared to those that followed World War II. We are afraid that we will lose our life, health and independence, income and homes, family and friends. The scale of this unprecedented fear is increased with continuous threats that are brought to our homes, dinner parties, private moments and bedtime. These may relate to terrorist attacks, financial and refugee ‘crises’, unemployment, migration and viruses. These fears create dependencies. Dependencies allow control. And control serves the status quo. The flip side of this was described by Malcolm X: “I for one believe that if you give people a thorough understanding of what confronts them and the basic causes that produce it, they’ll create their own program, and when the people create a program, you get action”.

I have never believed in conspiracy theories. In fact, my research and legal background made me a rather dull chat friend, as I always ask for evidence. And it is this evidence that I want to present through this book, which aims to paint the aforementioned hidden picture by starting the dialogue that we won’t have.

We cannot deny what is; we can only learn to observe it, and as we start to awaken, we seek tools that will help us regain the power that we have silently lost through gradual and consensual new forms of slavery. This responsibility is intensified if we have undertaken a role to serve justice as practitioners, researchers, policy-makers or campaigners.

4 The book's key aims

Ultimately, with this book, I want to challenge current thinking and the subconscious feelings of despair and defeatism that are produced in us for the purpose of control. I believe that the power of individual actions is found in the belief that no matter how small these actions are, they represent a significant stand against inaction and the forces that lead to silent slavery and persistent inequalities.

The book is structured around four concepts, which act as pillars for its arguments and indeed contribution: **power, race, justice and restorative justice**. These concepts are brought under one roof in order to meet two key aims.

First, I want to create a contemporary normative and practical framework which can be used to counteract power abuse and the way in which power more generally is exercised today in inter-personal, inter-community or inter-state affairs, including relationships, conflicts and partnerships. As I observe the growing inequalities that are being manifested in our modern societies, I challenge the way power and race have been interpreted. I open up the debate that we won't have to construct new conceptual methodologies for these four terms, which I believe respond to our modern realities. I do so with the utmost respect to the race equality and restorative justice movements while acknowledging the rich literature on power and race.

Second, I want to elevate justice and restorative justice as I claim responsibility for not challenging them enough during times that communities needed them the most. Like most servants of justice and other members of the restorative justice movement, I became a victim of the subconscious methodologies which the powerful employ to maintain the status quo. As I am awakening, **I challenge restorative justice as a biopower that can restore persistent inequalities and the misuse of power by top-down structures**. To this end, I first take a position as to how I understand justice and restorative justice by reviving Classical Greek philosophy and Aristotle in particular. I move on to claim that restorative justice can be morally problematic. Its practices and teachings are painful and thus can be legitimised only within a philosophical framework that has clear and attainable objectives. The pain resulting from restorative justice is also power itself as well as a tool that can be used to address inequality and injustices. This pain inflicted by restorative justice is a process, not an outcome, and can lead to catharsis and self-reconstruction. Existing normative narratives aiming to justify this pain did not satisfy me and thus I use this book to present my concept of restorative pain and catharsis. This analysis led me to propose a philosophical justification of restorative justice which acknowledges its harsh and sometimes cruel nature as well as its limitations and own power-interest battles. As I develop and propose this new restorative justice philosophy, I bear two risks in mind.

First, not to become yet another missionary who visits lost souls in need of my own 'true' version of restorative justice. In fact, a key aim of this book is to illustrate the diversity and malleability of the restorative ethos and practice, which take meaning only through local understandings and implementation. I also argue that one of the weaknesses of the restorative justice movement is its tendency to act as a new intellectual colonial power, as we forget that in order to address power abuse, we first must relinquish power ourselves.

Second, not to remain abstract in my proposition but to back it up with hard evidence that involves the ultimate beneficiaries, whether these are the victims or users of the justice system, practitioners, policy-makers and other researchers. The actions and research programmes which I undertook to minimise this risk are the primary reason for taking 20 years to write this monograph, which concludes with some practical pointers.

5 The book's structure

The book is divided into four parts, each representing a building block that should lead me to my stated objectives.

Part I is based primarily on secondary research that combines critical thinking and the development of new normative ideas and methodologies. **Part II** is based exclusively on new and original data that were collected through primary research and the use of qualitative and quantitative methods. **Part III** is a combination of critical analysis and original fieldwork. While it presents new research data that were collected through primary research, it develops new theories, including a philosophy for restorative justice. Finally, **Part IV** is based exclusively on real case studies, which were written by practitioners, victims and users of the justice system. The mixed methodology of the book allowed me to be flexible enough so that I can express my thoughts and feelings on my own terms while bringing the required evidence when making claims and positing solutions.

Part I aims to challenge the book's four conceptual pillars: power, race, justice and restorative justice. Each concept is exposed in a separate chapter, which starts with a descriptive account using the extant literature. The chapters move on to challenge current thinking. Each chapter's objective is to deconstruct these notions and rebuild them in an awakening, or awakened, state of mind. As we reconstruct these notions together, we search within ourselves to understand our own relationship with them. Ultimately, this part of the book should bring the reader to a place where awakening has happened. It is simply not possible to be able to challenge the current distribution of power if we are not ready to view it for what it is. Of course, with questioning comes resistance, and I am conscious that some of the ideas and evidence presented in this section will upset some readers. But discomfort did not trouble me, as we all need to be negatively affected in order to set things in motion for a better end.

Part II proceeds with investigations of countering power for justice and restorative justice. Similar to Odysseus's journey from Troy back home to Ithaka, our own

journey will encounter mermaids and sirens. Their songs and promises will distract us. But we need only to remain focused on why we took the journey in the first place. The path that has led you to read up to this point and the reason you might want to continue reading. These areas of mermaids and sirens were chosen based on extensive research, which I carried out through funded and unfunded research projects involving multi-year fieldwork. Some of these projects ran for over a decade, others for a minimum of three years. Their methodologies and findings will be detailed in their respective chapters. What I will summarise here are their core themes. Starting with the most unconformable one, Chapter 5 is a restorative justice self-critique. The intention here was to look back, assess and present some admissions that might be hard to accept but not impossible to address. Not free from power, restorative justice organisations, researchers, practitioners and policy-makers are often caught up in the vicious circle of power and control, which they claim to be targeting themselves. The chapter forms part of our journey of learning how to watch ourselves while using power at all levels. First, the chapter identifies six fault lines that exist within the restorative justice movement and that create divisions, distraction and confusion. These mermaids and sirens are also the levers that engage power within the restorative justice movement. This engagement is not for the benefit of others. It can be self-serving and distracting. The chapter uses these fault lines to identify the key risks that are associated with them. Three examples of missed opportunities that are attributed to these fault lines are also presented as examples of power abuse. Finally, the chapter attempts to move us away from the mermaids and sirens by claiming that the restorative justice movement is a social movement and, as such, can focus on promoting social justice through key principles that are drawn from the human rights narrative. Chapter 6 deals with what some have called the “Trojan horses of race” (Kang, 2005; Gavrielides, 2014). These are the hiding places of our subconscious biases that prevent us from acting organically in the pursuit and enjoyment of justice and restorative justice. The chapter names three of these Trojan horses, outlining how they collectively prevent us from serving, experiencing, acknowledging or pursuing restorative justice and equity. Subsequently, the chapter provides a critical analysis of the potential of restorative justice to overcome these hurdles. I argue that these hiding places are not the product of inequality and injustice. They are the result of well-planned, multi-year investments for maintaining the status quo. Inequality and injustices are simply the results, and race discrimination one of their manifestations. Chapter 7 aims to investigate ‘the politics of believe to belong’ and how these have been used to sustain power through fear of security. Justice and restorative justice are premised on the ideas of community and individual identity. Destroy them and enough space will be created for the development of control structures that can maintain the status quo of the powerful. This chapter looks into the why and how of this fear. It then presents some original data that I collected through a 2017–2020 research programme which I coordinated between seven countries. The project focused on violent youth radicalisation and engaged with over 3,540 individuals. Six truths will be constructed through its evidence to question current reality, allowing some critical reflections on the effectiveness and impetuses of key international instruments and policies that

were introduced to combat the source of this fear. The role of restorative justice and the value of an alternative reality, complementary to the current punitive paradigm, are examined throughout the chapter.

Part III aims to put us back on track with ourselves in the hope that we can become better servants of justice whether at the personal or professional level. Chapter 8 exposes the fallacy of one justice. This chapter also aims to move things forward by presenting a system that allows the structured and unstructured versions of restorative justice to coexist restrained by human rights and without co-option. Chapter 9 attempts to restore power and hope within the restorative justice movement by looking at what parties in conflict really want from restorative justice. Case studies of recent surveys that I carried out with victims, offenders and restorative justice practitioners will be used to provide the ingredients for a truly user-led restorative practice, which is as free as possible from top-down structures of power. Chapter 10 will attempt to devise a practical guide for implementing restorative practice and policy that is free from power abuse and manipulation.

The book would be incomplete if it failed to give direct voice to those who either serve or experienced restorative justice and through it the rebalancing of power for themselves or others. Therefore, **Part IV** is dedicated to case studies which were written by practitioners and users of the justice system including individuals who experienced power abuse themselves. These vignettes illustrate the various arguments of my monograph.

A tip as you read further. This book will fail in its objectives if the reader adopts a technical approach to its key concepts of power, race, justice and restorative justice. Such an approach will disregard **the need for personal reflection and self-transformation**.

Power and its abuse are not limited to one institution or a few individuals. Power is a fluid set of social relations impacting and involving everyone, including you and me. **Understanding and using power through this book are not so much about social change as about personal change from within**. Hence the personal tone of my writing. We can all strive for a more balanced power in society, where the poor have more say and the powerful are more understanding and giving. But if we work towards these goals without a clear conceptual understanding of how power manifests itself within us and through our actions (or inactions), then our efforts will remain mere procedural actions of short-term impact. There is only one way we can save the burning forest and this is not by being bystanders. We must transform into hummingbirds of hope, courage and responsibility.

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