

UNIVERSITY OF MANITOBA
Department of Sociology

RESTORATIVE JUSTICE

Sociology 077.385 L01
(Term 1, 2005-2006, 3 Credit Hours)
Slot 5, 10:00 - 11:15 pm Tuesday and Thursday
527 Buller Building

Instructor: Andrew Woolford
Office: 327 Isbister Building
Office Hours: TBA or by appointment
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Course Objectives:

This course focuses on community-based processes of ‘restorative justice.’ Restorative justice is said to be a new ‘paradigm’ in criminal 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 are employed to deal with crimes ranging from minor shoplifting offenses to gross human rights violations; however, there exists a great deal of controversy surrounding these practices. Some critics suggest that restorative justice ‘widens the net’ of social control and brings the disciplinary force of the state deeper into communities. Others argue that the ideological underpinnings of restorative justice reflect a conservative, Judeo-Christian worldview. In this class, we will assess practices of restorative justice in order to gauge the promise and the perils of these popular justice processes. The broad question guiding our efforts will be: is a ‘transformative’ politics of criminal justice possible? In the second half of the course, we will turn our attention to the controversial application of restorative measures to crimes of genocide and war crimes.

Required Readings:

Gerry Johnstone 2002. *Restorative Justice: Ideas, Values, Debates*, Devon, UK: Willan Publishing.

Martha Minow 1998. *Between Vengeance and Forgiveness: Facing Genocide and Mass Violence*. Boston: Beacon Press.

Reserve Readings: TBA

Assignments and Grades:

Participation:	20 %
Restorative Justice Script:	10%
Critical Essay:	30%
Exam 1:	20%
Exam 2:	20%

Class Participation (20%): In-class participation will be a major component of this class. On Thursdays students will be divided into small working groups and assigned the task of discussing and producing a brief written report on critical questions related to the restorative justice literature (to be handed in at the end of class or on the following Tuesday). A group mark will be assigned to this assignment. Students must provide a medical note if they miss class and require a make-up assignment.

Restorative Justice Script (10%): A double-spaced, 3-4 page Restorative Justice ‘script’ is due on October 14th. In this script, students will imagine a portion of a restorative justice meeting between victim, offender and community. This may be a VORP, VOM, Circle, or Family Group Mediation. Students should seek to both demonstrate how the session might unfold, as well as the things facilitators and participants might say to one another to encourage resolution. Late assignments will not be accepted.

Critical Essay (30%): Students will complete an 8 - 12 page, research-based (a minimum of 8 citations, 5 of which must be for academic materials not assigned as required readings), critical analysis of some aspect of restorative justice. Possible topics include, but are not limited to:

- Restorative Justice and the State: The Risk of Cooptation
- The Problem of Community
- Restorative Justice and Drug Use
- Restorative Justice and Juvenile Offenders
- Restorative Justice and Violent Crimes
- Restorative Justice and Traditional Forms of Aboriginal Justice
- Restorative Justice in Australia, New Zealand, the U.S., Canada, Britain or other Nation
- Restorative Justice and Domestic Violence
- Restorative Justice and Community Policing
- Restorative Release: Reintegrating Prisoners into the Community
- Restorative Justice and Social Capital
- Techniques of Restoration: Circles, Conferences and Mediation
- Restorative Justice after War Crimes or Crimes Against Humanity

Essays are due in-class on November 29th, 2005. Late essays will be penalized three percentage points per day (weekends count as two days).

In-Class Exams (20% and 20%): In-class exams will be held on October 20th and December 7th. The first exam will consist of multiple choice questions (approximately 50%) and short

answer questions (approximately 50%). The second in-class exam will be comprised of two essay questions (worth 50% each). Exams are not cumulative.

(Note: Students are required to provide a medical note within one week if a test is missed and they require a make-up.)

Academic Integrity: Students should acquaint themselves with the University's policy on 'Examinations: Personations' (p. 26) and 'Plagiarism and Cheating' (p. 27) found in the University of Manitoba Undergraduate Calendar.

Grading:

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

A+: 100- 90%	A: 89-80%	B+: 79-75%	B: 74-70%
C+: 69-65%	C: 64-60%	D: 59 - 50%	F: below 50%

Course Outline:

Part One: Understanding Restorative Justice

September 8-13: What is Restorative Justice

Readings: Johnstone, Chapters 1 and 2

September 15-20: The Roots of Restorative Justice

Readings: Johnstone, Chapter 3

September 22-27: Restorative Justice and Victims

Readings: Johnstone, Chapter 4

September 29 -October 4: Restoring Justice and Offenders

Readings: Johnstone, Chapter 5

October 6-11: Concepts of Restorative Justice: Shame Apology and Forgiveness

Readings: Johnstone, Chapter 6

October 13-18: Implementing Restorative Justice and the Community

Readings: Johnstone, Chapters 7 and 8

Part Two: Restorative Justice and Genocide?

October 25-27: Between Vengeance and Forgiveness

Readings: Minow, Chapters 1 and 2

November 1-8: The Troubles with Tribunals

Readings: Minow, Chapter 3

Justice Jackson's opening statement to the Nuremberg Tribunal (on

reserve)

November 10-17: Truth and Truth Commissions

Readings: Minow, Chapter 4

Priscilla Haynor, selections from *Unspeakable Truths* (on reserve)

November 22-29: Restoration and Reparation

Readings: Minow, Chapter 5

Selections from *Politics and the Past* (on reserve)

December 1-6: *Dealing with Past*

Readings: Minow, Chapter 6.

Voluntary withdrawal deadline is November 16, 2005.