CHAPTER 1

Introduction: Restorative Justice
and Civil Society

John Braithwaite and Heather Strang

This is a collection of essays that is diverse by intention. Our intellectual agenda is to begin to forge coherence from bringing together two of the 'hottest' but most inchoate topics in the social sciences – civil society and restorative justice.

We adopt as broad a working conception of civil society as possible – all those institutions that are intermediate between the individual and the state. This lets in families (as in family group conferences, a restorative practice discussed in most chapters), schools (the chapters of Wachtel and McCold, Ritchie and O'Connell, Morrison, Cameron and Thorsborne), churches (Sherman, Dinnen), private policing organisations (Bayley, Shearing), private workplaces (McDonald and Moore), Indigenous organisations (Cunneen), social movements such as the victims of crime movement and the women's movement (Strang), and most inchoate of all, communities (Shearing, Pollard, Pavlich).

Restorative justice is conceived in the literature in two different ways. One is a process conception, the other a values conception. The process conception has been the more dominant one to this point. On this view, restorative justice is a process that brings together all stakeholders affected by some harm that has been done (e.g., offenders, their families, victims and their families, affected communities, state agencies such as the police). These stakeholders meet in a circle to discuss how they have been affected by the harm and come to some agreement as to what should be done to right any wrongs suffered.

On the second view, it is values that distinguish restorative justice from traditional punitive state justice. Restorative justice is about healing (restoration) rather than hurting. Responding to the hurt of crime with the hurt of punishment is rejected, along with its corresponding value of proportionality – punishment that is proportionate to the wrong that has been done. The idea is that the value of healing is the key because the

crucial dynamic to foster is healing that begets healing. The dynamic to avert is hurt that begets hurt. We return later to what we have learnt from this volume about the other values that may be defining of restorative justice. For the moment, let us simply mark the significance of this contest by two illustrations. Someone strongly committed to a process definition might say that while a family group conference is a restorative justice process, a mediation between a single victim and a single offender is not – because in the latter there is no circle that includes or even invites all stakeholders, most of whom are excluded. Someone strongly committed to a values conception of restorative justice might say that a community conference that sits in a circle and then decides to cane or incarcerate a child, or even that conducts its deliberation around the framework of discovering the just punishment, is not restorative justice. In contrast, a victim–offender mediation that heals, rejecting the punitive paradigm, satisfies the values definition of restorative justice.

In our view it is best to see restorative justice as involving a commitment to both restorative processes and restorative values. Both define continua. Most values are of course defined in a continuous way – there can be more restoration or less. And the processes at issue here can be conceived in a rather continuous way as well – from formal courtroom processing that involves no attempt to empower the voices of stakeholders, to mediation that involves only two stakeholders, to whole-of-community healing circles such as we have seen in some North American First Nations communities where all local citizens are welcome to speak. Most restorative justice advocates are not going to want the extreme end of the restorative justice continuum – maximally restorative process involving maximally restorative values – in a range of contexts. For certain kinds of highly dangerous violent offenders, they may want punitive values to substantially displace restorative values; they may want to see the offender locked away in a place that limits opportunities for healing encounters with his family. For matters that involve delicacy and intimacy – such as sexual abuse of one child by another – the value of privacy may be of more profound significance than openness of a restorative process to all community stakeholders. Even within such open community forums, there may be times when it makes sense to break out into one-on-one encounters in which things can be said that would not be said before the whole group. Courts will be better than conferences for resolving certain kinds of disputes over facts. In sum, even the most radical restorativists will not want to be at the extreme end of the restorative justice continuum all of the time.

Why Restorative Justice is a Hot Topic

We live in an era of disillusionment about justice and the state. Restorative justice advocates contend that while collections of essays on state

institutions like police or prisons might have coherence of focus, that focus is tired and sometimes trivial in terms of its prospects of illuminating how to deal with problems of crime and violence. But belief in the centralised state as capable of crime prevention planning has been more tenacious than trust in the capabilities of the state for industry planning. The ghost of Hayek is ubiquitous in discussions of industry policy, especially on the right. But until recently it has only been idiosyncratic criminological figures of the left, such as Clifford Shearing (Chapter 2), who would invoke a Hayekian view of local community knowledge being superior to state intelligence of crime and how to solve it.

Shearing tells an inspiring story of peace forums in South Africa that mobilise local knowledge to deal with crime problems of daunting dimensions. These peace forums are at the expansive end of the continuum of stakeholder participation, moving from the 'community of care' of much restorative justice writing to a 'community of life'. They seek to govern the future rather than simply restore a balance that has been upset in the past.

While few domains of state failure are as profound as failure to prevent crime, with any major fall in the crime rate that does occur because of changes in demographics, employment, or tastes for illicit drugs, there will be a politician or police chief with an interest in claiming that his or her enforcement policies deserve credit for the fall. Conversely, when crime goes up, it will be decaying community values or unemployment that will be blamed. But the more fundamental reasons for the resilience of statist analyses of crime are traversed by David Bayley (Chapter 14). Law and order politics has a simplicity of political appeal. For people who are insecure about their jobs and their children's futures, the politics of exclusion is appealing, especially when the exclusionary impulse averts explicit racism, alighting upon the exclusion of criminals (who are only coincidentally black or of minority ethnic background in disproportionate numbers). With criminals, the politics of inclusion has always been regarded as risky; no politician wants to be accused of being soft on crime. On the other hand, just as Morrison (Chapter 13) shows that parents are more supportive of restorative principles than teachers assume they are, voters are more supportive of restorative justice and less supportive of prison than politicians assume they are (Doob, 1999).

Restorative justice is inserting another new political dynamic into this equation. First it is a social movement that taps into late-modern cynicism about the capacity of state institutions to solve problems like crime. It invites a disillusioned public to demand that law and order politicians produce evidence that the vast expenditures of their tax dollars on building more prisons actually prevent crime. While the truth at this time is that there is only limited evidence that restorative justice prevents crime, the rhetorical appeal was well illustrated by Chief Justice Bayda of

Saskatchewan in introducing a recent lecture by Norwegian restorative justice figure Nils Christie. Bayda invited his audience to imagine they were alone late at night in the dark streets of a metropolis. There are two routes home. On one street live 1000 criminals who have been through the Canadian prisons system. On the other street are 1000 criminals who have been through a restorative justice process. Which street do you choose?

The second way restorative justice is challenging the law and order political dynamic is on a front where the empirical evidence has recently become surprisingly clear. The more people actually experience restorative programs, the more support for them rises. They go away from them more satisfied that justice has been done, that the process has been fair, more optimistic that the outcome will do something to prevent future crime (Braithwaite, 1999a). This is not universally true, especially for victims, who in a significant minority of cases are less satisfied as a result of restorative justice processes, but it is clear that the majority of citizens with first-hand knowledge prefer them to court.

Some of the momentum for restorative justice has come from research suggesting that restorative justice programs do actually reduce crime. Reoffending in conferenced cases in the famous Wagga Wagga program of the early 1990s was 20 percent, compared to 48 percent in cases that went to court (Forsythe, 1995). Even more dramatic success was reported for the Singaporean family group conferencing program with only 2 percent reoffending, compared to 30 percent over the same period for offenders who went to court (Chan, 1996). Chief Constable Charles Pollard (Chapter 11) reports similarly encouraging results for his path-breaking Thames Valley conferencing program.

But none of these evaluations is convincing because we must assume that adequate controls would reduce or reverse these effects owing to the tendency for more serious cases to be sent to court rather than conference. There are a few studies with more persuasive efforts to introduce controls or match conferencing and court groups that show positive effects of restorative justice on reoffending (Braithwaite, 1999a; 27–35), such as Burford and Pennell's (1998) research on family violence conferences. However, sample sizes in these studies are small.

The most rigorous test to date of the crime reduction potential of restorative justice has been the Reintegrative Shaming Experiments (Sherman et al, 1998, Strang et al, 1999). Here a randomised research design was used to compare the effectiveness of conferences with normal court processing. While no significant difference between the two dispositions was found for young property offenders, the experiment found a 38 percent reduction in repeat crimes by violent youth who had attended a conference compared with their counterparts dealt with in court (Sherman et al, 2000).

While the jury is not in on whether restorative justice 'works' in terms of crime prevention, reducing the cost of the criminal justice system, and the like, it is fair to say that the early research results are encouraging rather than discouraging. And this establishes restorative justice as an emerging topic for the social sciences in the next decade.

Why Civil Society is a Hot Topic

Few books have so quickly become a social science classic as Robert Putnam's (1993) *Making Democracy Work: Civic Traditions in Modern Italy.* Putnam shows that the regions of Italy that have both flourished economically and suffered less corruption are those that have fostered social capital formation (see Morrison, Ritchie and O'Connell, Chapters 13 and 10). They are regions where civil society flourishes, in the sense of membership of voluntary associations intermediate between families and states. And they are regions where citizens are more trusting of one another in civil society. Putnam has been able to show that the direction of historical causality operating here is not that economic success generates a trust-based culture but that a strong fabric of trust, woven in institutions of civil society, has economic benefits.

This social capital research tradition has been used by Non-Governmental Organisations (NGOs) to advocate why there should be investment in the NGO sector as a path to economic development, corruption control and control of other crime problems such as family violence. But it has also been picked up by influential global institutions such as the International Monetary Fund and the World Bank. The social capital paradigm shift has seen those institutions abandon their previously myopic focus on nurturing the development of free markets as the path to development. On the eve of the millennium, 'good governance' is seen as vital, and causally prior to market development in IMF/World Bank circles, partly born of their disastrous experiences in Russia and some other post-communist societies. For example, to get market makers into a stock exchange, you need trust to work in civil society so that a deal based on a handshake on the floor of an exchange will be honoured; you need self-regulatory norms in professions like law, accountancy and stockbroking; you need banks that self-regulate each other's risk management systems and do something if (as in the Russian case) organised crime seeks to take over the banking system.

Dinnen's chapter on Papua New Guinea (Chapter 7) is included in this volume because no case better illustrates this changing paradigm in its interface with the crime problem. Perhaps this is because in no society is crime as big an economic and social problem as in Papua New Guinea – though South Africa (Shearing, Chapter 2), Russia and Colombia

would be credible competitors for this honour. Tourist numbers to Papua New Guinea are among the lowest for any nation, partly because of tourists' fears for their safety; violence has shut down the Bougainville copper mine, which had been the country's biggest foreign exchange earner and funded more than a third of the Papua New Guinea budget.

Development aid to Papua New Guinea in the 1970s was dominated by the market development paradigm. In the 1980s crime was identified as a major obstacle to economic growth. Massive resources were poured into aid projects to develop policing, the prisons system, juvenile justice. These were diagnosed as failures in the 1990s; the problem was seen as getting worse. At the millennium, the development agencies in Papua New Guinea are becoming more oriented to 'good governance' nurtured in civil society as a crime prevention paradigm – community development, working with NGOs and yes, a major new commitment to restorative justice.

Civil society is of importance to the restorative justice debate because of the pessimism criminologists have that any single state intervention in a delinquent life can turn it around. It does seem romantic to expect that a single two-hour conference could reverse the thousands of hours of peer and family influences in the months before and after a conference. On the other hand, if the social movement for restorative justice is about more than just changing the practices of states, if it can have an impact on an entire culture, if it actually succeeds in changing families and schools towards more restorative practices, the effects on crime might be much more considerable.

Hope v. Pouring Cold Water on Hot Topics

When David Bayley made his presentation at the conference that gave birth to this collection, he read from our email inviting him to participate. It said David was invited in his capacity as a 'crusty old copper-loving criminologist' whose job was to pour cold water on our upbeat analyses of restorative justice and civil society. Apart from resiling from being old, he accepted this challenge with relish. In Chapter 14 he has met it admirably. Even if the restorative justice and social capital in civil society paradigms realise all their promise, which he doubts, Bayley rightly points out that sound state policy will continue to have a central role in any strategy for confronting crime. The justice of state crime control may be inequitable. But Bayley enquires: whither equity in a world where we know volunteerism in civil society is more likely to flourish in rich communities than in poor ones? Equity is a domain where Bayley's warning is especially apposite: it might be desirable to responsibilise communities, but it cannot be desirable to deresponsibilise the state. Sherman (Chapter 3) gives the equity and civil society question a different twist

again in his contrast of high crime as the upshot of the Quaker egalitarianism of Philadelphia, lower crime the legacy of Puritan hierarchical Boston. Egalitarian justice may undermine civil society which is strongest under a culture of Calvinist hierarchical communalism. But if the new culture finds a way to encourage egalitarian leadership (for example, the kind of restorative policing espoused in Charles Pollard's chapter) then we may evolve a new basis for a strong civil society. Both Pollard and Sherman in their chapters propose an International Institute or Society for Restorative Justice. Ted Wachtel, a man of action, upon returning from the ANU conference, promptly proceeded with establishing an International Institute for Restorative Practices.

The paradigm shift to good governance for social capital formation in civil society is not only about the cultivation of the virtue of trust. It is also about cultivation of the virtue of hope. A game tourists play when visiting the cradles of European civilisation, preeminently in Italy, is to see if they can guess which virtue is represented in the carved stone of a magnificent cathedral or chateau. The virtue of piety and the vice of gluttony are always easy to pick. The virtue we moderns seem to have most trouble identifying is hope. Hope is the least modern of virtues. Indeed to most moderns it seems less a virtue than cynicism. In this collection, Morrison in her conclusion is our guardian of the ancient virtue of hope, Bayley of the modern virtue of cynicism. For this volume and in our work on restorative justice generally, we do seek to cultivate hope, the possibility for a richer vision of how to transform cruel and ineffective punitive practices. As Morrison contends, without hope nothing changes. For us, Shearing's Zwelethemba does indeed mean 'place of hope or renewal' (as it does in the South African Xhosa language). Yet hope must be tempered by doses of reality and Bayley helps us to that. On the paradox of equity and leadership, he is joined by the analyses of Sherman and Pollard. Strang joins the paradox at another level with her observation that both the victims' movement and individual victims (whom we know to be poorer and more dominated than non-victims of crime) support the leadership of police in restorative justice processes. In some cases, this is a plea for restoration of their lost security through the presence of a police uniform in the room where restorative justice is transacted.

Pavlich pours a more postmodern kind of cold water on community as the core value of both the restorative justice and civil society paradigms. Unified community is an essential ingredient of totalitarianism. Even partial communities in civil society can be Ku Klux Klans. Responsibility to the 'common good' leaves out those excluded from presently dominant conceptions of community – the other, the unfamiliar, the strange, the outlaw. Derridian deconstruction is advocated for disrupting privileged unities of community. Since any community must have a boundary,

it must exclude those outside the boundary; this means an inevitability about hostility to and from the excluded. So Pavlich poses the question of how to make the move from hostility to hospitality. The 'deconstructive opening' Pavlich suggests is replacing community with solidarity – hospitality without boundary, a virtue of care hospitable to the non-member. For those of us of republican–feminist bent, replacing fraternity with solidarity (liberty, equality, solidarity) seems an appealing move from the deconstruction site to a normative construction site. Still, no idea in political theory big enough to inspire hope for transformation is beyond corruption: many a tyranny has been enacted at the hands of cadres chanting solidarity forever. The method of deconstructive openness is Pavlich's remedy, just as checks and balances in a separation of powers are the remedy to tyrannies of solidarity for the republican.

Ironies of State and Civil Society

Ritchie and O'Connell see large state bureaucracies like police departments as inherently afflicted with imperatives to processing rather than relationships, rules rather than people, control rather than participation, enforced compliance rather than deliberative decision-making. In these senses large bureaucracies are ill equipped to deliver restorative justice and well equipped to crush it. While relational approaches, restorative practices to use Wachtel and McCold's expression (Chapter 8), work better than coerced compliance in helping large bureaucracies deliver valued outcomes like crime prevention, the power-brokers who rise to the top within them see relational approaches as a threat to their control (which they are). The paradox of bureaucracy is that those who value performance over control are less likely to make it to the top in state bureaucracies. This does make the state an unreliable ally of the social movement for restorative justice.

A theme of much restorative justice writing is that state leadership, particularly a threat of state coercion lurking in the background, is a risk to the integrity of restorative justice processes. There are echoes of this perspective in this volume in the contribution of Shearing (Chapter 2), for example. However, we have also seen that a feature of the contributions of Bayley, Sherman, Pollard and Strang is an irony that a certain kind of state, indeed police, leadership may be necessary to activate a restorative civil society.

Ironies of state and civil society are most profound in Dinnen's chapter (7). He traces the history of Papua New Guinea civil society from pre-colonial violence through colonial peacemaking, and then from the rule of law project which accompanied Independence to the hybrids of state–local regulation now emerging. Irony indeed that the purely local

(Indigenous) and the more purely central (statist) controls on violence seemed to fail utterly, while the highly discretionary paternalism of the *kiaps* (white police of sorts) which harnessed tribal cultures of self-regulation were more effective. Dinnen sees the developing hybrids of state–local regulation, much of it of a restorative character, which draws on local knowledge in securing compliance, as potentially the most successful strategy for the future.

Alan Rumsey (1999) has documented the famous hybridised intervention of the Kulka Women's Club to end a New Guinea Highlands tribal war. What the Kulka Women's Club (civil society actor) did on 13 September 1982 was to march between two opposing armies under the national flag (symbol of national community), exhorting both sides with gifts (restorative gesture) to put down their arms, which they did. Note that as in so many of the important non-Western forms of restorative justice, the victims moved the offenders by giving them gifts rather than asking for compensation. The distinctive peacemaking intervention of the Kulka Women's Club seems to have been one-off, rather than a recurrent Melanesian cultural pattern, but its importance is that it had a long-lasting effect, the peace having held until the present, during two decades when hostilities among surrounding tribes escalated. Though the intervention seems unique, Maev O'Collins (1999) links it to peace and reconciliation meetings organised by women in war-torn Bougainville and women marching in Port Moresby to protest against male violence. Rumsey's (1999: 9) work is important because it shows the need for highly contextualised analysis of the macro-transformative moments of restorative justice: 'the very factors that make one area relatively conducive to peacemaking are the same ones that make it more difficult in the neighbouring region'.

From a republican normative perspective, it may be that what one wants is for both state and civil society to be strong so that each can act as a check and balance on the other (Braithwaite, 1998b). A vigilant state can be a check on the abuses of power of a Ku Klux Klan or a family group conference that decides to make a child wear a T-shirt saying 'I am a thief'. A conference, as Pollard's chapter illustrates for Thames Valley, can be a forum where citizens criticise police for racist bias in a way judges would never give them the latitude to do. The crime prevention effectiveness that Ritchie and O'Connell (Chapter 10) see as only achievable by creative, relational organisations (as opposed to routine processing coercive ones) might be achieved by external democratic demands for performance and internal ones for voice. Again the paradox may be that the path to relational organisational governance may be state imposition on bureaucracies of participatory decision-making and accountability to local communities. Restorative justice needs state authority to prevent powerful fractions of the state from destroying restorative justice
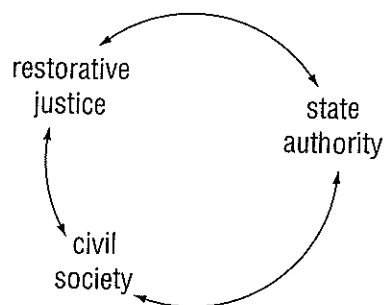
Figure 1.1 A Virtuous Circle Where Restorative Justice Supports Civil Society and State Authority

so that a virtuous circle of restorative justice, civil society and state authority is created (see Figure 1.1).

A thread running through our chapters is that the power of restorative justice may be connected to the fact that it does not subordinate emotion to dispassionate justice, as in the blindfolded icon of justice balancing the scales. Nor does restorative justice subordinate emotion to rational bureaucratic routines. Space is created in civil society for the free expression of emotions, however irrational they may seem. If emotions are deeply felt then the relational perspective requires that others attend to their existence and ponder what might be done to heal them. Of course, civil society will not produce a civil society unless there is civility – mutual respect and non-violence – in how emotions are conveyed. Frankness and civility are not found to be objectives sharply at odds in restorative justice practice. Most critically, hurt never demands violence and abuse for its effective communication; on the contrary, it is more effectively communicated with grace.

McDonald and Moore (Chapter 9) contribute an extremely important reformulation of the role of the emotions in restorative justice theory. They suggest replacing *Crime, Shame and Reintegration* as a template of restorative process with *Conflict, Acknowledgement and Transformation*. The *Conflict, Acknowledgement, Transformation* model has nuts and bolts implications for good conference design – for example, it is generally better for victim supporters to tell their stories before offender supporters. The reformulation from crime to conflict enables a wider ambit for restorative process, where schools, churches, businesses and all sorts of other non-justice sites can be included, a move Wachtel and McCold (Chapter 8) also make. When there is moral ambiguity over right and wrong in a conflict, Wachtel and McCold, like McDonald and Moore, prefer allowing the ambiguity to stand rather than coerced allocation of responsibility. Speaking to participants in advance of a conference and inviting them to own as much responsibility as they feel able to volunteer

can be enough to trigger a virtuous circle of owning responsibility instead of a vicious circle of denial and blaming the other.

Hence, if deliberative, respectful confronting of conflict works well, acknowledgement of harm and shame concerning it is likely. At the individual level Morrison (Chapter 13) reports on Eliza Ahmed's (1999) research on school bullying which shows that bullies fail to acknowledge shame and instead transform shame into anger and their victims are caught in a cycle of persistent shame, while non-bully/non-victims acknowledge and discharge shame. But for McDonald and Moore, the more profound acknowledgement of shame is collective rather than individual (as in Ahmed's research). A conference is a means whereby a group of people harmed by a conflict begin to see themselves as sharing a concern. According to McDonald and Moore collective experience of shame marks the transition from negative to positive emotion, from conflict to cooperation. A recognition of collective vulnerability to the shared problem motivates a transformation of human relationships and thereby discovery of a way of dealing with the problem. A key move, as revealed by the wisdom of North American native peoples' healing circles, is putting the problem rather than a person in the centre of the circle as the focus for emotions that transform relationships around the circle.

Cunneen's analysis of Australian response to the Stolen Generation of Aboriginal children is an example of how not to implement the *Conflict, Acknowledgement and Transformation* model. Instead of acknowledgement and transformation following from a deep national conflict, what followed was denial, rationalisation and trivialisation. For such profound collective wrongs as genocide and apartheid, the world is slowly learning that undominated and state-assisted storytelling is needed, so that truth can lay a foundation for reconciliation, and so that collective shame which is acknowledged collectively can motivate just societal transformation. Cunneen's approach also throws down the important challenge of whether restorative justice gives rights a sufficiently central place.

Wachtel and McCold (Chapter 8) have their own reformulation. *Restorative* justice is authoritative/reintegrative dispute resolution which combines high social support (encouragement, nurture) with regulation which sets serious limits. *Neglectful* conflict resolution is neither supportive nor limit-setting; *permissive* approaches are supportive but not limit-setting; and *punitive* approaches are characterised by high levels of control but low levels of support.

Principles of Restorative Justice

The process and values conceptions of restorative justice discussed earlier are revealed by our essays to be interrelated. If one of the values of restorative justice is to enrich democracy, to implement participatory

deliberation in an important domain of people's lives, then it follows that a process is needed in which all stakeholders have an opportunity to speak. If it is an important process requirement that all stakeholders have an opportunity to speak, it is important that speech is not dominated (that restorative justice instantiates the value of non-domination). Ultimately, we therefore think that to be fully restorative justice, both restorative process and restorative values tests should be passed. Equally, it is clear that these joint requirements can define a continuum of how restorative any given practice is. As Wachtel and McCold's chapter (8) so nicely shows, many problems of daily life are not big enough to justify assembling all affected stakeholders in a circle. One-on-one is fine – but restorative one-on-one oriented to values of healing and social support is likely to be better than punitive or neglectful encounters.

Moreover, the ferment in the chapters over values suggests that many more books will be written before there is consensus on any list of restorative values. Democracy, healing, social support (caring/love) and non-dominated speech seem the most recurrently supported restorative values, followed by community, though Pavlich has put that interesting challenge as to whether solidarity would serve us better than community. Apology, making amends and forgiveness are frequently cited in our chapters as desirable restorative values, though many in the victims' movement caution against seeking to persuade victims that they will feel less bad about themselves if only they can forgive. Cameron and Thorsborne make the interesting suggestion that a restorative value might be 'never giving up' on the wrongdoer, a more specified version of the philosophy of hope we see in Morrison and Ritchie and O'Connell's chapters. Acknowledgement – the crucial stage in McDonald and Moore's reformulated transformative *process* – can be conceived as a value, and indeed is conceived as one of Morrison's six principles of restorative justice.

Connected to these values around which there are stirrings of agreement across our chapters, Wachtel and McCold suggest six principles of restorative practice, which we suspect enjoy considerable agreement: 1. Foster awareness; 2. Avoid scolding or lecturing; 3. Involve offenders actively; 4. Accept ambiguity; 5. Separate deed from the doer; 6. See every instance of wrong-doing and conflict as an opportunity for learning. And we might add, as an opportunity for grace. More broadly, a serious conflict, say over an act of violence, can be seen as a transformative opportunity; as McDonald and Moore, following Ruth Morris (1995), point out, it is an impoverished way to view the opportunity a crime affords as no more than an opportunity to repair harm and prevent recurrence. It is an opportunity to confront an underlying drug or alcohol problem, to transform hurtful relationships in a family, to build peace in the Highlands of New Guinea, to forge more loving families and

communities. The bigger the wrong, the deeper the conflict, the better the prospect for McDonald and Moore's collective emotional transformation to motivate real justice, including social justice.

Reframing the Research Agenda

Our case studies of restorative justice in civil society reveal some virtue in combining process and value conceptions of restorative justice as a normative ideal. They reveal a need for hope tempered by the wisdom of the cynics and cynicism tempered by the vision of optimists. We come to see the restorative justice agenda not as a choice between civil society and state justice, but as requiring us to seek the most productive synergies between the two. Restorative justice programs in civil society can become a testing ground for some big ideas in democratic theory. The research agenda of refining the principles and values of restorative justice has wider relevance to developing the values of a richer democracy. Finally, our case studies show that democratic practice requires an understanding of the emotions as well as reason. The volume includes insightful contributions to the literature on emotion, reason and social theory. Empirical assessment of these ideas will be a fruitful endeavour for decades to come.