

# **Critical Race Theory and Restorative Justice Education**

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**A study about white privilege and restorative justice which examines how critical theory can challenge implicit bias in restorative justice processes in school settings**

## **Introduction**

There is nothing easy or magical about implementing restorative justice in society today. The issues we face are complex, historic, and ever evolving. Many of us find ourselves orienting toward restorative justice as a way to forge a path forward and fix the ills of our societies. While restorative justice promises to provide processes for resolving conflict and moving toward healing, there are risks to our work. Many of us who work in restorative justice belong to a dominant sector of society where we can safely shift our thoughts away from ongoing discrimination and prejudice and lean into the privilege of living in relative comfort, free from fear.<sup>1</sup>

As restorative justice continues to gain momentum in educational settings, it is important that the movement not be compromised by restorative practices that fail to promote justice and equity. It is also important that we, as restorative justice practitioners committed to the transformation of society, continue to challenge ourselves and our work in ways that promote equity and justice.

As authors of this paper, we acknowledge that we belong to this dominant, privileged sector that knows *about* racial disparity, but hasn't a clue as to what it feels

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<sup>1</sup> Sensoy & DiAngelo, *Is Everyone Really Equal?*

like. As white, educated women residing in Canada and the United States, we realize we are privileged and that we uncomfortably venture into this space of exploring the power dynamics implicit in restorative justice. We do so in an attempt to hold a mirror to ourselves and others with whom we share privilege, considering how we might actually be using restorative justice to perpetuate harm, and to thus challenge ourselves to reflect critically on how we practice restorative justice.

Critical theory guides us. In particular, we continually examine our own actions and thoughts by asking, *Who is benefiting? Who is bearing the burden?*<sup>2</sup>. When applied to race and power, critical race theory deepens our questioning.<sup>3</sup> This theoretical framework, when combined with the essence of restorative justice,<sup>4</sup> provides opportunity to bridge divides that often seem insurmountable. Our primary responsibility as privileged researchers and educators is to observe, listen, and critically examine our own perspectives and experiences and those we witness. This paper describes some of our learning. It is only a beginning.

To date, our separate journeys as educators have led us to a common understanding that restorative justice in education (RJE) is not merely a set of practices, but rather a philosophical stance, a theoretical framework through which educators view their classroom, their students, and their whole lives.<sup>5</sup> Within this perspective, education

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<sup>2</sup> Kincheloe & McLaren, *Rethinking Critical Theory and Qualitative Research*, 303-342.

<sup>3</sup> Bell, *Faces at the Bottom of the Well*,

Ladson-Billings & Tate, *Toward a critical race theory of education*, 47–68.

<sup>4</sup> Wadhwa, *There Has Never Been a Glory Day in Education for Non-Whites*,

<sup>5</sup> Boyes-Watson, *Peacemaking Circles and Urban Youth*, Morrison, *From Social Control to Social Engagement*, Rosenfeld, Quintet, & Garcia, *Contemporary Issues in Criminology Theory and Research*,

is viewed as a relational framework where the nurturing and maintaining of healthy relationships, establishing just and equitable school/classroom environments, and addressing harm and transforming conflict are three crucial components for establishing an effective learning community where disparities for vulnerable populations are eradicated.<sup>6</sup> This view of RJE sees student behavior ecologically as a reflection of many variables, including but not limited to the climate of the learning environment. Thus, student behavior does not occur in a vacuum, but often reflects unmet needs, unresolved conflict, trauma, inappropriate instruction, and inequitable learning environments, among other things.<sup>7</sup> Restorative justice in education focuses on addressing the unmet needs of students, as well as those of educators, and creates spaces for solving problems *with* students and other stakeholders, rather than *for* or *against* them.<sup>8</sup>

In this, restorative justice in education moves away from a sole emphasis on addressing issues of school discipline, to creating learning environments that are healthy and safe for all students, including those who are often marginalized based on race, ethnicity, language, sexual orientation, or gender. While research has demonstrated the effectiveness of restorative justice at reducing suspensions and expulsions, our experiences and research serve to uncover the reality that without a comprehensive understanding of ‘justice,’ restorative justice cannot address issues of power and inequity that often create toxic learning conditions for vulnerable populations.

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<sup>6</sup> Evans & Vaandering, *Little Book of Restorative Justice Education*.

<sup>7</sup> Morrison, *From Social Control to Social Engagement*. Rosenfeld, Quinet, & Garcia, *Contemporary Issues in Criminology Theory and Research*.

<sup>8</sup> Morrison, *Restoring Safe School Communities*, Larson, Sawin & Zehr, *Handbook of Restorative Justice*, 41–58. Evans & Vaandering, *Little Book of Restorative Justice Education*,

## **Defining Justice**

To date, restorative justice has been implemented in educational settings across the globe; in many places, people have been reticent to use the language of restorative justice and instead named their work as restorative practices, restorative approaches, or restorative discipline. For some, the language of *restorative justice* is reserved for responsive approaches to harm while *restorative practices* are seen as the everyday preventative interventions. For others, the use of *restorative practices* reflects an unwillingness to use the language of justice, viewing *justice* as too tied up with the language of the justice system, or too complicated by the baggage associated with the term *social justice*, which could alienate a broad swath of stakeholders who might have otherwise bought into an alternative to punitive discipline.

Acknowledging the reality that implicit and explicit bias is rampant in our school systems, our search for understanding has led us to reclaim the term *justice* in *restorative justice* as having two branches, primary justice and secondary justice. Primary justice is present in social relationships when no one is wronged and the worth of the other is placed in the forefront of our attention in respectful ways; secondary justice addresses situations where wrong or harm has occurred such that the worth of the other is diminished.<sup>9</sup> By including and emphasizing primary justice in restorative justice, the context required for healthy relational communities is recognized as necessary for secondary justice to be effective. Primary justice is significant as it highlights the reciprocal pursuit of what everyone needs for their individual and collective well-being. It addresses hierarchical relationships, makes explicit areas of privilege and power, and

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<sup>9</sup> Wolterstorff, *Teaching Justly for Justice*, 23-37.

seeks to balance and share power. Primary justice considers what people need in order to thrive. Primary justice works to interrupt injustices wherever they show up. And they show up in lots of places and in lots of ways: interpersonal, intrapersonal, community, structural, and systematic. Lederach's framework in *The Little Book of Conflict Transformation* is helpful here as a framework that acknowledges all the levels that need to be attended to from intrapersonal to systemic.<sup>10</sup>

Further, Social Identity Theory (SIT) and Self-Categorization Theory (SCT) have been influential in the study of psychological links between individuals and the social groups to which we belong.<sup>11</sup> Our social identities are the psychological link between who we are as individuals and who we are as members of social groups, namely gender, social roles, occupation, and race. In the post-Holocaust era, many social psychologists were interested in understanding the psychology of intergroup relations, particularly the negative effects of intergroup processes. Many theorists understood these processes to be irrational, intrapsychic or interpersonal; SIT and SCT challenged these individualistic ideas of human nature.

The foundational work of Tajfel and Wilkes (1963) argued that the mere use of salient 'us and them' distinctions changes the way people perceive each other, enhancing similarities within the group (e.g. Caucasian) and differences between the groups (e.g. African American).<sup>12</sup> Categorization, in terms of group membership, changes the way people see themselves and others through activating a different level of one's self-concept. Social identities derive from social categories to which individuals belong,

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<sup>10</sup> Lederach, *The Little Book of Conflict Transformation*,

<sup>11</sup> Sindic & Condor, *Social Identity Theory and Self Categorization Theory*, 39-54.  
Richeson & Sommers, *Toward a Social Psychology of Race and Race Relations*, 439-463.

<sup>12</sup> Tajfel & Wilkes, *Classification and Quantitative Judgment*, 101-114.

defining an individual's emotional and evaluative consequences of group membership.

Social identities are sensitive to social context, perceiver readiness, and power relations.<sup>13</sup>

Social Identity Theory was the “first social psychological theory to acknowledge that groups occupy different levels of a hierarchy of status and power, and that intergroup behavior is driven by people’s ability to be critical of, and to see alternatives to, the status quo.” For Tajfel, social identity theory was at its heart a theory of social change. In contrast to theories that are “increasingly ‘micro’ in their scope, the social identity approach is a rare beast, a meta-theory that is ambitious in scope but ultimately rests on simple, elegant, testable, and usable principles.”<sup>13</sup>

Social Identity Theory has been applied to educational contexts to frame issues from bullying to school climate. Schools are both intra- and inter-group systems. We must be critically reflective of, and engage with, these systems at all levels – intrapersonal, intragroup, intergroup and structural. Each level offers distinct opportunities to understand and respond to equity differences in power and status, from knowledge mobilization to behavior. Racial identities are not merely reflections of societal relations within educational contexts, benignly formed within them; rather, racial identities are actively constructed within educational settings. Educational institutions implicitly and explicitly give power and status to some social groups, while denying others. In other words, educational institutions can be agents of assimilation or diversification.

The practice of restorative justice must attend to this agency within schools. Circles, for example, are active and fluid structures of belonging within schools. At the

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<sup>13</sup> Hornsey, *Social Identity Theory and Self-Categorization Theory*, 204-222. Morrison, *From Social Control to Social Engagement*, Rosenfeld, Quinet & Garcia, *Contemporary Issues in Criminology Theory and Research*.

most basic level, they create a normative field of belonging. They have the power to hold the space between us. Without an understanding of power and the way power shows up in educational spaces, Circle processes have the potential to inadvertently perpetuate injustices and maintain hierarchical disparities.

Restorative justice has been sensitive to power imbalances at an interpersonal level, in the context of interpersonal harms such as bullying, domestic violence, and sexual assault. We need to be equally sensitive to power imbalances at the intergroup level. Social Identity Theory helps us to frame and understand these processes at an intergroup level. In other words, we need to be critically mindful about assumptions of whose identities, cultures, values, and knowledge are superior. We also need to be mindful of the superordinate context in which those power relations are being played out; i.e., who is ‘fitting in with’ or ‘catching up’ with whom?

It is not unusual for educators to push back against this perspective, suggesting that in order to maintain authority in the school or classroom, there has to be a hierarchy. We too have had to examine this way of understanding power and authority that is embedded in our teacher education degrees and experiences. In challenging ourselves to reconsider these structures, we recognize that restorative justice paradigms make clear a distinction between *authoritativeness*, which is necessary to create a respectful space where participants are reminded by the facilitator/teacher to adhere to the Circle guidelines established together, and *authoritarianism*, seen as power for power’s sake. This is evident in the many Indigenous communities from which the field of restorative justice has received much of its foundation, where space created in talking Circles as guided by elders, for example, honors every voice. In sum, justice is not a zero-sum

game, nor is power. If I give you some of my power, I do not suddenly have less.

Conversely, I might actually have less power when I try to hold on to it with a tight fist.

## Defining Equity

Likewise, we define equity as fairness or impartiality, not necessarily in how people are treated but rather in the potential for fair and impartial outcomes.<sup>14</sup> Many of the zero tolerance policies that emerged in the 1990s were grounded on the notion that everyone should receive the same treatment for the same offenses. This focus in schools on equality as everyone being treated alike, would be fine if we all started at the same place. We do not, however, and when we seek to treat everyone the same, we overlook the uniqueness of each student, we gloss over their struggles, we force everyone into a standardized box, and, as we saw with zero tolerance policies, it does not work.

According to Sullivan and Tifft, “We develop our potentialities as human beings and enhance our collective well-being when our needs are respected, expressed, listened to, defined with care, and ultimately met.”<sup>15</sup> Thus, within a restorative justice process addressing harm, we start with questions about who has experienced harm, what *needs* emerged because of that harm, and who is obligated to meet those needs.

For us, the language of equity is crucial in educational settings. We believe that much of what has been framed as misbehavior, and often labeled with vague and imprecise language such as “noncompliance,” “insubordination,” or “oppositional defiance,” might actually reflect students’ resistance to what they perceive to be unjust

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<sup>14</sup> Evans & Vaandering, *Little Book of Restorative Justice Education*,

<sup>15</sup> Sullivan & Tifft, *Restorative Justice: Healing the Foundations of our Everyday Lives*,

and inequitable treatment in schools.<sup>16</sup> Because of the way these vague and imprecise disciplinary codes have resulted in disproportionate rates of suspensions and expulsions, some school districts, and the entire state of California, have removed these categories from school disciplinary procedures. Rather than suspending students who exhibit challenging behaviors, restorative justice has been implemented. However, in many situations, while overall rates of suspensions and expulsions have been reduced, the rates of disproportionality have remained the same. In other words, schools that have implemented restorative justice practices may see a reduction in exclusionary discipline yet continue to see students of color suspended and expelled at rates significantly above that of white students.<sup>17</sup> This observation should then drive us to examine what we mean by the effectiveness of restorative justice and to reflect critically on how it might be possible that students of color are being suspended for resisting what they perceive to be unjust and inequitable school practices even in a school committed to RJE.

The following examples make the need for critical theory and critical race theory explicit. Several years ago, I (Kathy) received a phone call from a disability rights attorney who was working in a large city that had an active restorative justice program in their school district. He had been approached by the parent of a child with autism. The child had hit another student and while the school offered restorative justice informed victim-offender mediation, administrators in the district had disqualified this student from participating because the child used a facilitated communication device and the restorative justice coordinators were uncomfortable facilitating a circle process with a

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<sup>16</sup> Fine, *Framing Dropouts*,

<sup>17</sup> Gregory, Huang, Anyon, Greer & Downing, *An Examination of Restorative Interventions and Racial Equity*, 167-182. Yusem, *Implementing Whole District and Whole School Restorative Justice*. Winn, M. *Justice on Both Sides: Transforming Education through Restorative Justice*.

student who didn't speak. The attorney was looking for restorative justice facilitators who might be comfortable incorporating facilitated communication.

The student with autism who was not invited to the circle experienced harm – at the hands of the restorative justice program. The very exclusion purported to be prevented by restorative justice was in fact reinforced by the circle. This was not an anomaly; in a recent study, Kincaid and Sullivan (2019) claimed that despite varying understandings of disability, youth with identified disabilities are and have been consistently overrepresented in school discipline and in the juvenile justice system. Further, official data on special education needs and suspensions collected in Ontario for ten years indicate that during the 2014-15 school year, 46.5% of suspended students had identified learning needs.<sup>18</sup>

As we engage in restorative justice in school settings, what if *we* are the offender, the one who excludes or the one who perpetuates injustice? And even when we are not directly culpable, what are we doing to address systemic discrimination such as ableism in our schools and classrooms? Adapting our practices to meet the needs of students, and adults, who have varying cognitive, communicative, and social-emotional strengths and weaknesses is an issue of justice and equity, and the field of restorative justice needs to do this better.

As a second example, there has been a strong focus, extensive research, and a great deal of discussion about racial disproportionality in school discipline and the ways in which zero tolerance policies have perpetuated the school-to-prison pipeline. For example, in Chicago, black students make up 45% of the student enrollment but account

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<sup>18</sup> Kincaid & Sullivan, *Double Jeopardy?*, 1-18.

for 78% of school suspensions. Similar statistics show up in most of our larger cities in North America: Charlotte, NC, Prince George's County, MD, and Philadelphia, PA, all report that 70% or more of their suspensions are African-American and Latino students. In Canada, as of 2012, most schools did not compile disciplinary statistics by race or ethnicity.<sup>19</sup> However, Ontario, which has agreed to begin collecting data on race and suspension rates, reports that in Toronto, 48% of suspended students identify as black, and only 10% identify as white.<sup>20</sup> In neither country do we know how significantly Aboriginal students are impacted. By way of extrapolation, when black and brown students are being suspended at rates two and three times higher than those of white students, and most suspended students have special needs, one could speculate that systemic racialized injustice is at core of the issues to be unpacked and addressed.

Anne Gregory's research on restorative justice, as a process to dismantle the school-to-prison pipeline, has been instrumental in making the case for replacing zero tolerance policies with restorative justice practices.<sup>21</sup> This is good work and we need to continue to see restorative justice as a way to tackle racial disproportionality in school discipline. But we need to do so in ways that align with our commitment to justice and equity. Several months ago, I (Kathy) received a call from a school district inquiring about implementing restorative justice because they were in trouble with the Office of Civil Rights (OCR) for having suspension rates that were too high and that disproportionately impacted students of color. We had a long conversation about justice and equity.

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<sup>19</sup> Teklu, *Canada's Forgotten Children*,

<sup>20</sup> James & Turner, *Towards Race Equity in Education*,

<sup>21</sup> Gregory, Clawson, Davis & Gerewitz, *The Promise of Restorative Practices*, 1–29.

If our primary motivation for implementing restorative justice is as a way to comply with the Office for Civil Rights, or with the Human Rights Commission in Canada, it is doubtful that we will be effective. We might see a reduction in suspension rates, but we will still likely maintain racial disproportionality, because we have not addressed the underlying issues. Anne Gregory's research supports this. According to her findings, when restorative justice was implemented with fidelity (i.e., a focus on building effective relationships and promoting engaged learning opportunities), it reduced the rate of disproportionality in school discipline. When it was implemented just as another tool, without considering the larger structural issues of racial equity, restorative justice practices were not effective, as measured by the persistence of disproportionality even while the rate of suspensions decreased.<sup>22</sup> Simply addressing suspension rates is insufficient if we are going to effectively support just and equitable learning environments in schools.

As a third example, consider issues of representation in education. Research suggests that elementary students do better on standardized tests when they have a teacher who is of the same racial identity. And yet, only seven percent of public school teachers in the United States are black and only 24 percent of black teachers are male.<sup>23</sup> In March of 2017, researchers from three universities published findings from a study suggesting that having one black teacher in grades 3-5 increased the graduation rate of black students by 29% and by 39% for black male students from economically disadvantaged communities.<sup>24</sup> Representation matters. It is not everything, but if we are

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<sup>22</sup> Gregory, Clawson, Davis & Gerewitz, *The Promise of Restorative Practices*, 1–29.

<sup>23</sup> Taie & Goldring, *Characteristics of public elementary and secondary school teachers in the United States*.

<sup>24</sup> Gershenson, Lindsay, Hart, & Papageorge, *The Long-Run Impacts of Same-Race Teachers*.

serious about building more just and equitable environments, it is something we need to pay attention to as restorative justice practitioners.

We are not suggesting that white teachers cannot be effective with children of color. We are suggesting that those of us with privilege due to our skin color need to become more critically conscious. We have to identify our own racialized identity and pay attention to the ways in which implicit bias (and sometimes not so implicit bias) impact our ability to connect with students of different races and ethnicities. We are also suggesting that we need to advocate for hiring educators that represent the student/family demographic. Further, as noted above, white leaders of restorative justice initiatives also must not only consider our implicit bias, but also consider issues of representation in our organizations and schools.

What is our responsibility to students who feel those inequities and respond with anger and frustration or who shut down, drop out, or push back? Who is responsible for this type of harm? What needs are represented here and who is obligated to advocate for more just and equitable learning environments?

## **Getting Concrete**

We asked restorative justice facilitators who work in educational contexts to comment on what schools might look like that had worked to establish just and equitable learning environments. What follows below are some concrete ideas that were suggested. We offer them here as a sample of practical ways to consider justice and equity in schools seeking to implement restorative justice practices. We suggest that these practices truly

impact the overall climate of a school, decisions about curriculum and instruction, safety and school discipline, issues of representation, and the support offered to faculty and students.

*Overall School Climate:*

- There are spaces within the school where conversations about equity, justice, and social issues are taking place among teachers, among students, and between teachers and students.
- Adults in the school consistently ask what they can do to make the school environment more just and equitable for all students.
- Healthy relationships among adults at the school are modeled, their conflicts are handled using restorative practices, and they build community using restorative practices such as circles among themselves.
- Students' differences are not simply tolerated, but rather embraced and celebrated – more than just for one month of the year.

*Respect for Diversity:*

- Students and school personnel, as well as policies and procedures, demonstrate respect and dignity for all members of the learning community, regardless of race, ethnicity, language, sexual orientation, gender, economic status, or any other area of diversity.
- There are a variety of student-led clubs that support students' social engagement and promote all students' sense of belonging (i.e. gay-straight alliances, Muslim Student Association, etc.).

- If the religious holidays and cultural traditions of one group are observed, they are observed for all students.
- Teachers use inclusive language to talk about students' families, including non-gendered language: i.e, the grownups you live with, rather than "your parents or "your mom and dad," in that some children may live with grandparents, foster parents, aunts, two dads, etc.
- There is at least one acknowledged gender-neutral restroom in the school where transgender students are not afraid of the repercussions of using the restroom of their choice.
- Education on and modelling of gender appropriate pronouns
- Teachers push back against gender stereotypes in the professions, for example, talking about women who are scientists and mathematicians.
- Posters in the hallways and classrooms reflect the diversity of the school environment and present that diversity in a positive light.
- Adults in the school have engaged in professional development related to diversity and demonstrate cultural awareness in their teaching, communication, and other interactions with each other and with students.

*Curriculum and Instructional Practices:*

- The curriculum takes into consideration the human rights of those being studied; for example, the plight of Native Americans is discussed when talking about the Westward Expansion in the United States or the history of slavery is not whitewashed by talking about "forced immigration."

- The curriculum takes into account the cultural backgrounds of the students it serves.
- Children's books include a variety of cultures, ethnic groups, languages, family designs, religions, and races.
- Instruction is presented in ways that meet the needs of all students.
- Students who are English Language Learners know that language supports will be offered in all of their classes, including the opportunity to receive instruction in their first language and to be assessed in their first language when appropriate.
- Learning materials are offered in a variety of formats to support diverse learners, including hand-on activities, pictures to support language development, audiobooks, etc.
- Students are able to move about in the classroom at a level appropriate for their age.

*Safety and School Discipline:*

- School “rules” are structured as expectations for building a healthy learning environment; there is not a separate code of conduct that only applies to students, but rather a shared expectation for all members of the learning community; all members of the school community are able to articulate those expectations.
- Student behaviors are seen as communication, and attempts are made to understand that communication through active listening, not simply as inappropriate behaviors.
- There is an absence of metal detectors, security cameras, and personal searches; if the school has school resource officers or other security personnel, they are taught restorative justice practices and participate in the overall restorative climate of the school.

- Students know that if they are experiencing conflict or bullying, someone will be there to support them and to intervene with a restorative justice process that is well-known and practiced regularly.
- Discipline hearings focus on who was harmed and what needs emerged from the harm, rather than what rule was broken and what punishment the offending party deserves; accountability measures are designed to support students' growth relying on increased self-regulation rather than external regulation.

*Representation:*

- The school is viewed as a learning community that includes caregivers, students, administrators, teachers, and school staff; these members hold different, but equally important roles in the community. Attempts are made to minimize asymmetrical relationships and promote equal respect for all members. Teachers feel respected by administration and by students. Students feel that teachers and administrators like them, respect them, and are interested in them as human beings, not just as students; students are often invited to participate in decision-making; parents and caregivers feel respected and included by school personnel and are invited to be a part of decision-making
- Advanced placement courses are offered and all student groups are equally represented in those courses.
- Adults see youth as “problem-solvers and assets to school communities,”<sup>25</sup> and work to involve students in the decisions of the school and classroom.

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<sup>25</sup> Knight & Wadhwa, *Expanding Opportunity through Critical Restorative Justice*, 11-33.

- Discipline and academic data suggest that there is proportional representation of all students regardless of race, ethnicity, language, gender, ability, sexual orientation, or economic status.

*Student and Faculty Support:*

- Students who have experienced trauma are met with educators who understand the role that trauma plays on learning and who attend to social and emotional needs, not just academic ones.
- Students with specific learning needs are integrated in the general education classroom; they are not simply in the room, but actively participating with their peers.
- Support services, such as health, counseling, occupational therapy, physical therapy, speech therapy, social work, and career counseling, are available to all students as needed.
- Translation services are available to support communication between school and home.
- Students who struggle academically have access to support in the way of differentiated learning, tutoring, and remediation.
- There are physical spaces where students and faculty can go and have conversations about issues they face.
- All students and faculty feel safe at school, physically, emotionally, socially, psychologically; when they don't, there is a place to go to find help.
- Practices of self-care are encouraged for restorative justice practitioners, teachers, and students.

Getting concrete about nurturing just and equitable learning environments is complex. The suggestions given are not the final solution, but only steps towards making change if we are willing to take each as an opportunity for better embedding justice and equity into our way of being.

## **Final Thoughts**

In conclusion, we stress that our work as restorative justice educators requires that we continuously participate in our own critical reflection, questioning the ways in which we are potentially perpetuating injustice and inequity. Most starkly this includes questioning, as we asked earlier, if we as restorative justice practitioners, might be the offenders? How can we learn from our harmful actions how to do this work better? As restorative justice educators who are white, educated, and privileged in so many ways, we would suggest that we have a greater responsibility to promote just and equitable spaces where everyone can show up. Conferences, such as the Restorative Justice in Motion conference, are spaces where we can hold each other accountable for promoting justice and equity.

In her article entitled, “Decolonizing Restorative Justice,” Denise Breton examines the ways in which restorative justice has been promoted within Indigenous communities and suggests that it is hypocritical and unconvincing for white restorative justice practitioners to hold a Navajo youth accountable for stealing a car when we have stolen his entire country.<sup>26</sup> We would echo that when restorative justice educators fail to take into consideration injustices in schools such as racism, sexism, homophobia,

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<sup>26</sup> Breton, *Decolonizing Restorative Justice*.

ableism, etc., ignoring students' very real experiences with these forms of oppression, all of our attempts to address these students' behavior will likely be met with contempt, resistance, and skepticism. Moreover, we need to acknowledge that we will be perpetuating the harm that students are already experiencing, exacerbating their pain and, in turn, their behavioral responses to that pain. Then, when agreements are not kept after such a circle for serious harm, as practitioners/facilitators we need to first examine our role rather than the role of the participants involved. The very nature of restorative justice can be rightfully challenged and dismissed by educators, students, and caregivers, if we use our privilege to manipulate circle planning, facilitation, and outcomes as they have been offered a *limited and skewed* view of how restorative justice practices can cement relationships, keep people accountable for harm, and create a more just world.

For this reason, we suggest the following principles for this type of critical reflection:

First, we make an assumption that in general, we are all doing the best we know and that if we knew better, we would do better. It is our hope that through mutual concern for one another, we might make supporting and holding each other accountable common practice and thereby learn to do better restorative justice work in the world.

Secondly, we believe that partnership among students, teachers, administrators, and school counselors can inform our work. Most of the above examples come from practicing educators who are working diligently on behalf of justice and equity. We also need to consult with youth who are knowledgeable and committed to justice and equity in school settings.

Third, this cannot be a box we decide to check off and call it good. Our commitment to justice has to be an integral part of our work as restorative justice practitioners. It's not a once and done training, but rather an ongoing move toward more justice and equity, accompanied by lots of honest reflection, humility, and accountability by our colleagues.

Fourth, it's not the job of people of color to teach their own humanity to their white peers. It's not the job of LGBTQ identified folks to advocate for their right to be acknowledged, hired, or provided with equitable opportunities. We have to educate ourselves. Read. We suggest reading educational books by authors who represent marginalized communities. There is wisdom there that those of us from dominant cultures simply don't have. We must include the perspectives of all members of the learning community as we work toward creating more just and equitable learning spaces.

Fifth, we have to start with ourselves. As we do the work of restorative justice, it is important to consider that we have to be restorative with ourselves. We have to do the work of justice starting from the inside before we can work for others. We must attend to the work of justice in our relationship with self, in our relationship with others, in our relationship with place and land. This needs more attention.

As we continue to promote restorative justice in educational settings, and as restorative justice gains traction in schools, it is imperative that we address issues of injustice and inequity in schools. Critical theory, with its insights into power, helps us to move toward more just expressions of education and restorative justice. In their restorative justice work in Boston public schools, Knight and Wadhwa (2014) noted the importance of “focusing not just on the success of each individual case-by-case basis but

on how structures such as institutionalized racism affected [students] as individuals and impacted the community and society writ large. By connecting curriculum to the historical context of economic and racial inequality in this country, students were able to reflect on their own experiences with power structures as they played out through school disciplinary practices.”<sup>27</sup>

The concrete examples provided above represent only some of the ways in which we might promote more just and equitable school and classroom environments. We have much work to do.

Note: We are grateful for the educators who responded to emails inquiring about concrete expressions of restorative justice that prioritize justice and equity. We are especially grateful to Anita Wadhwa who read through drafts of this paper, offering critiques and suggestions along the way, and who is living out so much of what we talk about in this paper in her work in Houston.

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<sup>27</sup> Knight and Wadhwa, *Expanding Opportunity through Critical Restorative Justice*, 27.

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