

FOREWORD

I am honored and thrilled to write this foreword to *Listening to the Movement: Essays on New Growth and New Challenges in Restorative Justice*, and in doing so to play a small role in this inaugural conversation about restorative justice as a social justice movement.

A new pattern has emerged: many now view restorative justice as an intervention to transform individuals *and* a movement to transform society. This emerging pattern of seeing ourselves as both social service providers and social movement participants was not imposed by a top-down directive. Self-organizing, it arose ground up from internal interactions and transforming exchanges among diverse practitioners across varied locales and settings throughout the country.

Further, today, though we live in the Trump era and its xenophobia, misogyny, transphobia, homophobia, Islamophobia, anti-Semitism, racial terror, climate-change denial, militarism, and catastrophic global capitalism, we also live in a time of heightened activism. As in nature, where we find the poison, the antidote appears nearby. Growth and transformation within the restorative justice movement are spawned within an ecosystem of surging social justice activism, whether Black Lives Matter, indigenous rights, transformative justice, LGBTQ, Dreamers, #MeToo, anti-Islamaphobia, abolitionism, gun violence, or climate and environmental justice, food justice, electoral politics, economic justice, white anti-racism, truth-telling, reparations, anti-slavery and anti-lynching memorialization, and more. The groundswell of activism in these times is mind-boggling, without equal in history. Restorative justice is in the mix, transforming and being transformed.

Enormous and stunning body of literature amassed over nearly five decades notwithstanding, *Listening to the Movement* is the first book to explore the idea of restorative justice as a social justice movement. As co-editor Stauffer notes, though we've seen references in the literature since the 1990s to "the restorative justice movement," this is largely a quantitative signifier denoting the expansion of the restorative tent beyond traditional sites of justice and schools to enfold communities, workplaces, prisons, churches and other settings.¹ This volume, however, signals qualitative change: the restorative justice community's emerging self-image as a *social justice* movement, a modality of both systemic and relational transformations.

Sullivan's and Tiff's 1998 *Healing the Foundations of Restorative Justice* is an exception; it was the only critical conversation I found in the early 2000s that challenged us to see ourselves as a movement that interrogates and transforms existing systems of domination. Much later, Wadhwa's *Restorative Justice In Urban Schools: Disrupting The School To Prison Pipeline* (2017) skillfully urges us to implement restorative justice as a means of interrupting racial inequity. I make the case in *The Little Book of Race and Restorative Justice: Black Lives, Healing and U.S. Social Transformation* (2019) that history is calling upon activists and restorative justice practitioners to be transformers of both systemic and interpersonal harm, not just one or the other.

The editors and contributors are well-equipped to co-create this book as their bios appearing elsewhere in this volume show. This collection emerged from an initiative where the Zehr Institute hosted two national convenings and traveled to six geographical regions in the U.S. and Canada to listen to and learn from 130 practitioners. Further, its 20 contributors all work at the intersections of restorative justice and other movements, whether prison-based,

¹ Personal Communication, May 22, 2019.

community, education, youth, environmental, gun violence, anti-racism, racial healing, international peacebuilding, and victims' rights.

I learned about restorative justice in the early 2000s, after four decades as a social justice activist, three as a civil rights trial lawyer, and after apprenticing with African indigenous healers. I was elated to discover its healing potential, springing from indigenous roots, as I saw it. Yet for nearly 40 years the restorative justice community largely failed to address race, quite surprisingly, since it is people of color who overwhelmingly bear the brunt of the horrific inequities of U.S. hierarchies of power, past and present. This was actually not so surprising, I quickly realized, given the nation's white supremacist historical foundations, still intact and still defiling all aspects of life today. Restorative justice's whiteness was no different from other movements, whether women's, peace, environmental, victim's rights or others.

However, in the Black Lives Matter era, this is shifting. At a 2011 restorative justice national conference, a small group gathered and resolved to take action to change the troubling whiteness of the movement. This resulted in an unprecedented national conference in 2013 (Toledo) whose express theme was the intersection of racial and restorative justice.

Today, less than a decade after that watershed conference, restorative justice interventions, convenings, research, publications, and curricula explicitly address equity. There are increasing numbers of school-based programs to reduce racial and gender disparities in school discipline and interrupt the school-to-prison pipeline. More and more conferencing programs to reduce disproportionate incarceration of boys and girls of color are emerging. Transformative justice and restorative justice initiatives are responding to intra-community harm with creative community accountability processes that don't rely on the carceral state. We also see increasing

numbers of gatherings, research and publications that explore the intersections of restorative justice with racial and social justice, including the Zehr Institute initiative that engendered this ground-breaking volume.

A dramatic visual embodiment of the transformation was the 2017 National Association of Community and Restorative Justice conference, co-hosted locally by Restorative Justice for Oakland Youth, the organization I co-founded and formerly directed. Then the largest and most inclusive gathering in the history of the international restorative justice movement, the conference elevated indigeneity and centered historically marginalized voices based on race, gender, gender expression, age, class, religion, and incarcerated and immigration status. It is no coincidence that much of the transformative impulse originates from the restorative and transformative justice communities of Oakland, the birthplace of the Black Panther Party, an iconic racial and social justice organization founded in 1966.

Importantly, just as restorative justice embraces and advances a new paradigm of justice, it also instantiates a new paradigm of social justice movement.

As participants in the peace movement during the Vietnam war, we were present to one another in ways that were bellicose. Though zealous public proponents of equality, we perpetuated hierarchies of power within our freedom movements. Our male cisgendered leaders were sexist, too often relegating to the sidelines women who typically did the lion's share of the work. We uncritically espoused either/or, right/wrong, and good/bad binaries, reproducing punitive ways of being, and creating division within our ranks. While verbally affirming the importance of collectivity, in fact, we were ego-based and competitive in our interpersonal interactions, replicating the oppressive dynamics of the systems of domination we opposed.

Today's movements are interrogating these outdated patterns. During the 2014-2015 Ferguson protests, the press, frustrated because they couldn't identify a spokesperson, accused the activists of having a leaderless movement. The youth, predominantly queer black women, boldly responded that the movement was "leader-full", ticking off a long list of names of individuals as examples. This anecdote exemplifies the shift from the old vertical paradigm of movements headed by charismatic leaders to today's emerging horizontal paradigm of movements full of leaders.

This shift resonates with the group-centered leadership approach espoused by Ella Jo Baker, a relatively unsung civil rights luminary who played a key role in the most influential organizations of the freedom movement, particularly the youth-led Southern Negro Coordinating Committee. Baker objected to adult-centered, predominantly male, top-down leadership structures because this disempowered women, youth and others.

Likewise, as Stauffer and Shah and other contributors to this volume affirm, shared leadership will nurture the restorative justice movement. Our problems are too complex to rely on a single charismatic leader; we need everyone's wisdom. The Circle process exemplifies the new shared leadership model: its communitarian ethos respects all voices and operates on consensus decision-making. Rhodes' pedagogy chapter explores the "radical act" of using circles in university classrooms as a counter-hegemonic process that, drawing out everyone's wisdom, is liberatory in the Freirean sense. Yet, as Stith's chapter about youth restorative justice organizing emphasizes, restorative justice is bigger than a Circle; it is a "social change strategy to ... reshape society." Importantly, our intentionality in centering the voices and leadership of youth of diverse races and gender expressions and of those most directly impacted by systems of oppression will also nurture the movement as Stith's, Ucker's and Elizondo's and Ross' chapters

urge. Another powerful expression of the shared leadership model are the hundreds of diverse and grassroots Peace Committees of Burundi, discussed by Juma.

Further, *Listening to the Movement* teaches that it is not enough to *have* a vision of a justice that heals; we must *be* that vision. Movements of today are asking the question, “Who do we need to *be* to bring forth the transformation we seek?” This augments the old movement paradigm query, “What do we need to *do*?”² Several chapters exhort us to transform ourselves in ways we wish to transform our world. The Oakland-based Movement Strategy Center says by starting in this manner at the end of the story, movements practice the art of time travel, “accelerating change by embodying and manifesting the values they seek in the world right here and now.” The future is now.³

The vision we embody is of a world whose individuals, groups, norms and structures no longer dominate, exploit, or harm. This is a communitarian, post-racial capitalist⁴ world where everyone’s needs are met, everyone lives out their purpose, everyone feels a sense of belonging, and where everyone joyously and humbly makes peace with and heals themselves and their relationships with one another and the Earth.

Embodying the future means being strategic about creating laboratories within our movement that engender decolonizing structures and approaches that supplant existing systems of domination, particularly racial capitalism, white supremacy, punitive justice, heteropatriarchy, sexism, elitism, ageism, ableism, and – consonant with Serrel’s chapter on restorative justice and

² The Practices of Transformative Movements, p. 2, Movement Strategy Center. Retrieved May 23, 2019 https://movementstrategy.org/b/wp-content/uploads/2016/07/MSC-Practices_of_Transformative_Movements-WEB.pdf

³ *Id.*

⁴ Racial capitalism refers to a socioeconomic order in which all social institutions are inextricably bound up with the slave trade and slavery, indigenous land seizure, genocide, and colonization. “The history of capitalism ... is a history of wages as well as whips, of factories as well as plantations, of whiteness as well as blackness, of “freedom” as well as slavery.” Johnson, W. and R. Kelley (2018) “Race, Capitalism, Justice”. Boston Review Forum 1 Cambridge, MA 21-22

the earth – human supremacy. Our movement will be immeasurably enhanced by a disciplined and intentional praxis of embodying the values of radical relationality and radical healing and creating “maroon spaces”⁵ in schools, communities, prisons, families and other settings that, expanding geometrically in number, will reach a tipping point, break loose from being contained within small populations and give way to new fractal patterns and new cultural norms.

Fittingly, *Listening to the Movement* features three chapters on race: a bold call to critically examine what it means to be white in America; a description of Coming to the Table’s unparalleled work of transforming the historical harm of slavery; and examining restorative justice in education through a critical race theory lens. As the authors urge in the whiteness chapter, to be transformative, the restorative justice community must develop a complex awareness of the nuanced ways in which white individuals perpetuate structural and institutional racism. This chapter calls for nothing less than an identity transformation and renewal process that releases the “harmful, false and fractured ways of understanding ourselves as white people.” The chapter on restorative justice in education delivers an excellent critical analysis of the prevailing use of the terms restorative “practices, approaches, or discipline” while inviting us to reclaim the language of “justice” to underscore the centrality of addressing issues of power and inequity in all restorative justice processes. Each chapter expresses an unwavering commitment to eradicate the scourge of white supremacy on intrapersonal, interpersonal, intragroup, intergroup and systems and intergenerational levels.

Ultimately, restorative justice is inspired by a vision of justice decolonized – one that pre-dates and challenges empire, the nation-state, the slave trade, genocide and racial capitalism.

Rooted in indigenous insights affirming humans’ equal moral worth and dignity and inherent

⁵ Runaway slaves in the Americas formed maroon communities where they developed their own culture, government, trade, etc. and sought to live as free people, beyond the control of the slavers and colonial officials.

interrelationship, restorative justice's relational orientation evokes *ubuntu*: I am a person through my relationships. *Ubuntu* also affirms our reciprocal responsibility to one another and to the earth, flowing precisely from our connection. These ancient insights engender what Zehr identifies as the "three Rs of restorative justice": respect, relationship, and responsibility, the lodestar values that guide and nurture the restorative justice movement.

To emphasize the indigenous ethos of restorative justice, however, is not to sanction cultural appropriation. If restorative justice facilitators wish to incorporate indigenous elements of another culture in their circle practice, for example, respect requires at minimum fully understanding and explaining the meaning of the cultural practice and identifying the individual who authorized its use. That said, *every* human being has indigenous roots, and non-indigenous practitioners might conduct ancestral research to unearth the healing and peacemaking ceremonies and practices of their own traditions.

The rapid spread of restorative justice into spaces, like schools and justice sites, that enact the dynamics of centuries-old systems of domination compels us to develop resilience strategies. One of the most powerful things we can do is hold fast to our values of a shared, visionary and futuristic leadership; embodying radical respect, relationality and responsibility; incarnating a deep anti-racist and anti-heteropatriarchal consciousness; infusing indigenous healing wisdom into our work and lives; and developing a radical critique of racial capitalism.

Listening to the Movement energizes us to continue and amplify its discourse to encompass restorative justice and sexual harm, restorative justice and heteropatriarchy, restorative justice and intersectional feminism, restorative justice and abolitionism, restorative justice and leadership of the formerly incarcerated, restorative justice and intergenerational trauma, restorative justice and food justice, restorative justice and socialism and restorative

justice-based truth, racial healing and reparations processes for African-Americans, Native-Americans, Asian-Americans, and Latinx communities. This collection similarly inspires us to build upon the exciting conversation about systems thinking-based social movement theory that Stauffer launches in the Epilogue. It also rouses us to build on Umbreit's and Lewis' thought-provoking discussion about victims, perhaps querying whether the 1990s principle of victim centrality arises out of the paradigm of seeing restorative justice as a social service and perhaps exploring whether the emerging social movement paradigm prods us to broaden the meaning of "victim" to include historically marginalized persons? And, as Stauffer suggests, possibly even inquiring whether we wish to continue using the term? Further, do our deeper understandings about race today encourage critical thinking about the whiteness of the 1990s victims' rights movement, and how the term "victims" is socially encoded to signify whiteness, even though it is blacks in the United States who are disproportionately harmed by criminal wrongdoing?

Much rich and provocative discussion lies ahead.

As someone who has participated in successive waves of activism continuously since the 1950s, worked as a civil rights trial lawyer for almost three decades, and sat at the feet of African indigenous healers, I have been waiting for this conversation. I'm thrilled it has begun today with the publication of *Listening to the Movement*.

Fania E. Davis

March 2019

Oakland, California

