Alternate Paths to Justice

A review of

by Mark Umbreit and Marilyn Peterson Armour

Reviewed by
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In the United States, many individuals perceive justice to be a relatively linear process that begins with arrest, followed by trial, and concludes with possible conviction and sentencing. Within a retributive justice model, crime is defined as a violation of law needing an assessment of guilt and appropriate punishment. Television programming such as Court TV and Law & Order reinforce the belief that retributive justice is the sole and best model for dealing with crime in the community.

However, alternate models of justice based on principles of restorative justice exist and are practiced throughout the United States and abroad. Restorative justice models are grounded in the precept that when a crime is committed, it represents a violation against both the victim and the community. These violations create obligations, which all in the community must work to address with a goal of returning to wholeness. Most important, offenders must take responsibility for their actions and work to repair any harm caused by
their crimes. Victims, families, and communities play an active role in many restorative justice programs.

Unfortunately, many individuals and communities are unfamiliar with restorative justice models. In their book *Restorative Justice Dialogue: An Essential Guide for Research and Practice*, Mark Umbreit and Marilyn Peterson Armour, both noted scholars and practitioners, introduce the reader to a range of restorative justice models and provide essential information directly related to the development and management of restorative justice programs.

Umbreit and Armour begin their book with an overview of the history and philosophy of restorative justice as a social movement. Within the United States, the practice and study of restorative justice has a relatively short history. Indeed, it wasn’t until the mid-1970s that restorative justice began to be systematically practiced and studied. However, various restorative or reparative justice practices can be traced further back into the past in other countries and with indigenous cultures around the globe. The text ends with a look to the future and emerging areas of restorative justice practice and research in venues such as schools and prisons.

Between these past–future bookends resides a wealth of information about the state of restorative justice today. Umbreit and Armour examine various forms of restorative justice practice (i.e., intervention, victim–offender mediation, family group conferencing, and peacemaking circles), survey the research concerning these programs, and provide practical information for anyone wanting to develop restorative justice programs within their communities.

Although *Restorative Justice Dialogue* is not a long text, it is an impressive achievement. Each chapter is rich in content, as Umbreit and Armour blend theory, practice, empirical research, and case studies to discuss a range of topics from specific models of restorative justice to the role of facilitators in restorative justice dialogue. The authors highlight programs from North Carolina to New Zealand and evaluate the research related to the effectiveness of these programs on a range of dimensions from victim satisfaction, to recidivism rates, to costs. It should be noted that the authors do not err by presenting only programmatic successes associated with restorative justice. Rather, the authors present a balanced view of research and programs, highlighting both positive results and failures.

At times, the text can be difficult to read due to the denseness of content and focus on programmatic and research details. Nonetheless, three overarching themes are evident throughout the text. First, restorative justice programs are an effective alternative or adjunct to traditional retributive justice approaches and can bring healing to victims, communities, and, indeed, offenders. According to Umbreit and Armour, it is the victims who often seem to benefit the most by the use of restorative justice practices.

Second, restorative justice models are incredibly complex, and anyone wanting to create a program needs information and appropriate training. Programs that are done without the necessary research and education are likely to fail and perhaps result in greater harm.
Third, there is not a single restorative justice model that fits all. Each model must be developed within context, taking into account type of offender and type of crime, as well as cultural and community norms and values. As such, no single text can provide all of the information needed for the development of a restorative justice program. However, Umbreit and Armour offer an excellent introduction to the field and should be essential reading for anyone considering such a program.

Although both Umbreit and Armour come from a social work perspective, there is much of value for psychologists reading the text. First, anyone working with victims of crime or with offenders should be aware of the potential value associated with restorative justice programs. Many communities today now have restorative justice programs such as victim–offender mediation or family conferencing, particularly with youth offenders. These programs are often used in conjunction with the more traditional justice system (Daly, 2002). Knowledge of restorative justice programs may enable psychologists to better access and evaluate such programs as needed.

Second, teachers will find the text to be a useful adjunct in many graduate-level community, prison, or peace psychology courses. Although Restorative Justice Dialogue is best suited for advanced students or professionals, selected sections might work well in undergraduate courses on juvenile delinquency or criminal justice. This material could be nicely meshed with psychosocial models of restorative justice such as those proposed by Wenzel, Okimoto, Feather, and Platow (2008).

Third, throughout the text the authors highlight areas of future research. Anyone wanting to work within the area of restorative justice and looking for a starting point for research would benefit from reading the text. Finally, the text includes in the last chapter an overview of new programs using restorative justice techniques to address issues of student misconduct on university campuses. This information is invaluable to those wishing to develop similar programs as an alternative to either ignoring student misconduct or addressing misconduct solely from a punitive perspective.

Umbreit and Armour stress that restorative justice programs can be used across a range of situations, from juvenile vandalism to acts of mass violence. Although truth and reconciliation commissions are mentioned in the text, the authors fail to fully flesh out the value of such commissions or their structure and operation from a restorative justice perspective. Truth and reconciliation commissions have been used in a variety of contexts from local community responses, to racial violence (Jovanovic, 2006), to national reconciliation programs addressing incidences of mass violence and atrocity (Ame & Alidu, 2010; Minow, 1998). The text would be strengthened by the inclusion of a chapter on truth and reconciliation commissions and their contributions to peacemaking.

Restorative justice approaches such as victim–offender mediation, family conferencing, peacemaking circles, sentencing circles, and other community-based interventions are excellent alternatives or adjuncts to traditional retributive practices within the U.S. justice system. Most important, restorative justice can lead to increased
accountability and healing within communities. Umbreit and Armour open their text by stating, “The past four decades have seen an unprecedented rise in violence, a drastic deterioration of community fabric, and a growing sense of personal danger, which breeds fear, isolation, and estrangement from those who are different from us” (p. 1). Restorative justice as a process within communities can be used to counter such trends and facilitate the development of more peaceful neighborhoods and societies.

References


