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Humanities

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The Department of Justice defines restorative justice as “a theory of justice that emphasizes repairing harm.” In contrast with its more traditional, punitive counterparts, restorative justice approaches student discipline with – as the Department of Justice implies it – more of a focus on making amends. At its core, restorative justice is meant to encourage students to reflect on the root causes of their misbehavior, to establish a sense of comfort and inclusivity in school environments, and to effectively and efficiently reintegrate students back into schools – it must be noted, however, that this is highly theoretical. Despite a seemingly descriptive promise, restorative justice practices can actually mitigate disciplinary equity both because of their tendency to normalize misbehavior rather than reduce it, and because they promote the development of racial disparity.

While restorative practices may seem ideal in a school setting due to their inclusive nature, they remain unreliable when it comes to practical application. *What Is Restorative Justice in Schools? Everything Educators Need To Know* argues for the implementation of restorative processes, claiming that “by shifting from a punitive model to one that seeks to understand and resolve the root causes of behavior, schools implementing restorative justice report significant reductions in suspensions...and better overall school climate” (Croteau). There are two key aspects of this quote to note here; one being the idea that a restorative model will be able to resolve the root causes of misbehavior, and the other being that schools see suspension reduction

as a “result” of implementing restorative justice. To effectively resolve the root causes of misbehavior, the “conversational” aspect commonly associated with restorative justice must be made consequential – simply holding a conversation with the student does not instill a sense of discomfort, and it is imperative that the student genuinely feel some sort of discomfort for misbehaving. Without it, ensuring that the student understands the gravity of their actions becomes difficult. Students are also more likely to misbehave if impunity is guaranteed – if the extent of an instigator’s punishment is a stern talking-to without any real consequence, the student is only further encouraged to continue misbehaving. The article claimed that restorative justice implementation resulted in fewer suspensions, and while that may hold, it is worth analyzing why exactly that may be beyond an initial look. If restorative policies very firmly express a distaste for punishment, it is only natural that schools using restorative policies will see fewer suspensions; suspensions in themselves are forms of punishment – that too at more of a severe level. The larger question, then, looms as to whether the reduction in suspensions is because of the genuine success of restorative justice or because of a lack of consequence. Since restorative justice policies are a fairly recent phenomenon, it is highly unlikely that students who have previously only dealt with punitive disciplinary systems in primary schools would be quick to conform to restorative ones, and it is even less likely that – as a result – these restorative systems are entirely effective. Therefore, it is only plausible that minimal consequence is what ultimately leads to these fewer suspensions.

Proponents of the implementation of restorative justice argue that social disparity in how traditional, exclusionary discipline is applied is prevalent across the country. They maintain that “research has also detected racial disparities...Black students are far more likely to experience exclusionary discipline and its negative side effects. Black students are nearly 4 times more

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likely than White students to receive an out-of-school suspension” (Darling-Hammond). There is no saying this is not true. Racial disparities in discipline are not necessarily a function of racial

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disparities in student misbehavior but are rather largely driven by school disciplinary practices.

In a study conducted from 2008 to 2017 that examined the use of restorative justice policies in Meadowview Public Schools, researchers investigated how the implementation manifested itself in terms of race-specific discipline rates. Though they found a reduction in the number of suspensions, there were very clearly marked patterns of reduction across racial groups. In particular, they noted that “restorative justice policies were implemented to improve disciplinary practices that were disproportionately harming Black and Latinx students, [but] it failed to

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significantly reduce exclusionary discipline for Black students” (Davison et al.). Since anti-minority attitudes in school environments tend to largely influence disproportions in minority student discipline, implementing restorative justice only really helps majority student groups, in whose situations less prejudice is involved. In the case of race-specific conflicts, it seems likely that schools will end up resorting to responses deeply rooted in systemic and interpersonal racial prejudice. Unless schools do not directly address these problems, the social and racial gap in schools will only become wider.

Restorative justice, in all its inclusive, mediative, remedying glory can actually mitigate disciplinary equity due to how it ends up normalizing student misbehavior as opposed to reducing it, and how it encourages racial and social divides. It becomes imperative that schools strive to modify restorative justice to cater to systemic discrepancies so as to create more equitable discipline.

Works cited:

- We Are Teachers. "What Teachers Need to Know about Restorative Justice." *WeAreTeachers*, 29 Aug. 2023, www.weareteachers.com/restorative-justice/.
- Elizabeth Grace Matthew, opinion contributor. "The Predictable Failure of "Restorative Justice" in Schools." *The Hill*, 1 Sept. 2023, thehill.com/opinion/education/4181444-the-predictable-failure-of-restorative-justice-in-schools/.
- Walker, Tim. "Do Restorative Practices Work? | NEA." *www.nea.org*, 8 Nov. 2023, www.nea.org/nea-today/all-news-articles/do-restorative-practices-work.
- Government of Canada, Department of Justice, Research and Statistics Division. "Discussion - the Effectiveness of Restorative Justice Practices: A Meta-Analysis." *Justice.gc.ca*, 2018, www.justice.gc.ca/eng/rp-pr/csj-sjc/jsp-sjp/rp01_1-dr01_1/p5.html.
- Lodi, Ernesto, et al. "Use of Restorative Justice and Restorative Practices at School: A Systematic Literature Review." *International Journal of Environmental Research and Public Health*, vol. 19, no. 1, 23 Dec. 2021, p. 96, www.mdpi.com/1660-4601/19/1/96, <https://doi.org/10.3390/ijerph19010096>.
- Davison, Miles et al. "Restorative for All? Racial Disproportionality and School Discipline Under Restorative Justice." *American educational research journal* vol. 59,4 (2022): 687-718. doi:10.3102/00028312211062613

