



THE ROLE OF RITUAL IN CONFLICT RESOLUTION

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RITUAL

“Ritual is, above all, an assertion of difference.”

– Jonathan Z. Smith, *To Take Place: Toward Theory in Ritual*, pg. 109

- Ritual creates a space that is extraordinary, that is set apart as essentially different from normal life.
- That space is made different by symbolic acts and spatial configurations and by bringing people together for a deliberate social activity.
- Restorative Justice is a ritual.

JUSTICE RITUALS



“Symbols and rituals are indispensable for our efforts to contain, transform, and resolve conflicts. Without them, our conflicts are reduced to the exercise of brute force and the loss of all values of cooperation and mutuality that make life in community possible.”

– William Everett, “Ritual Wisdom and Restorative Justice,” pg. 348



Previous research in the RJ field has asked:

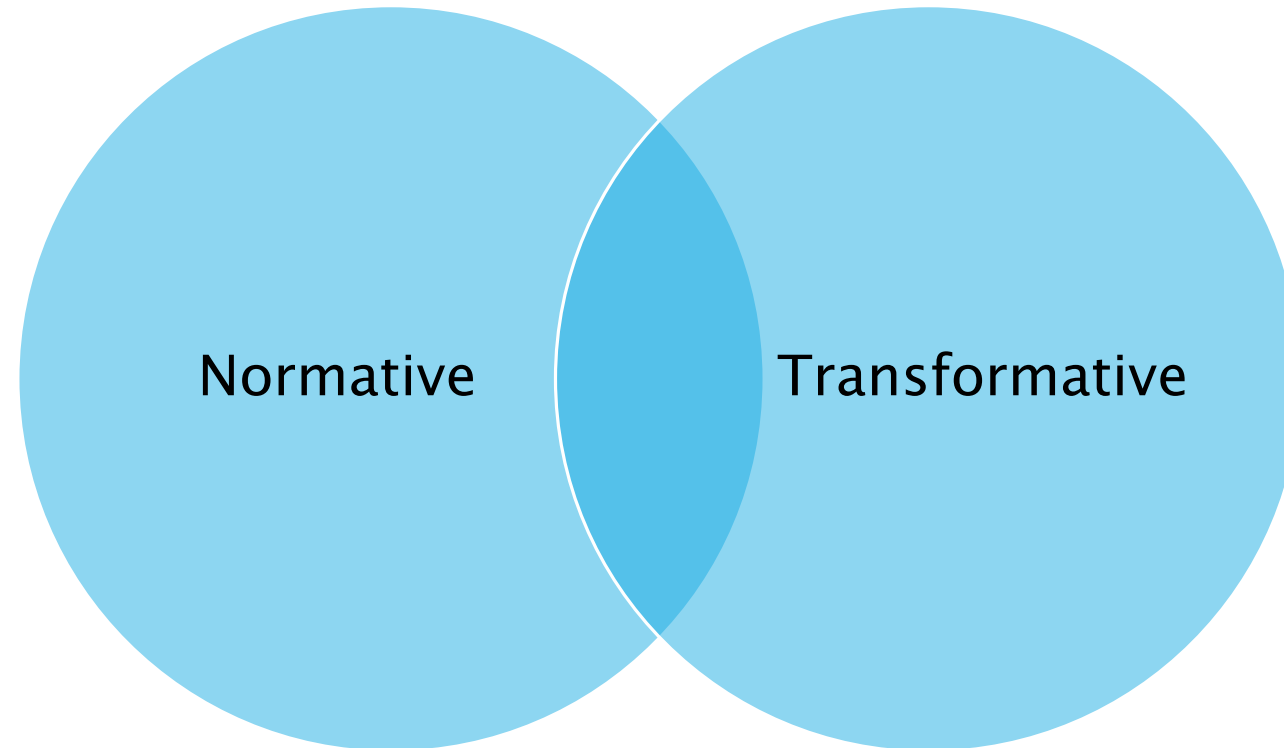
“Does restorative justice work?”

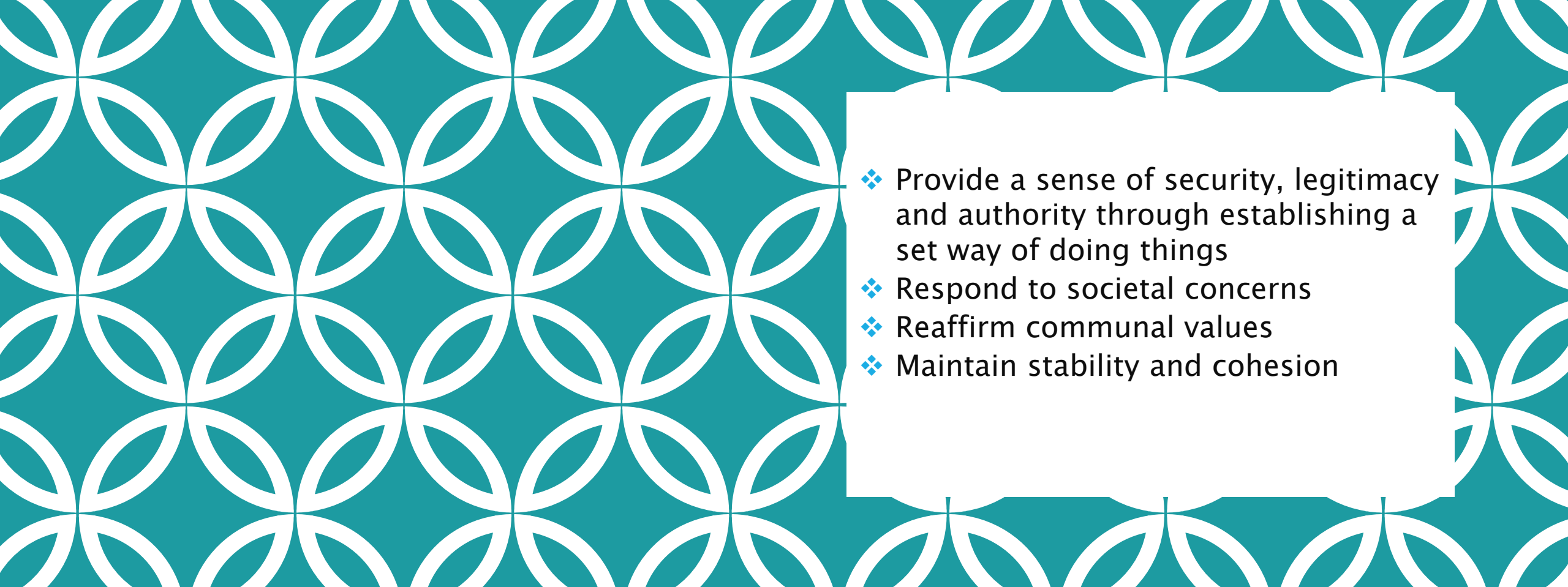
- Decrease in recidivism
 - Cost reduction
 - Victim satisfaction



“How does restorative justice work?”

FUNCTIONS OF RITUAL

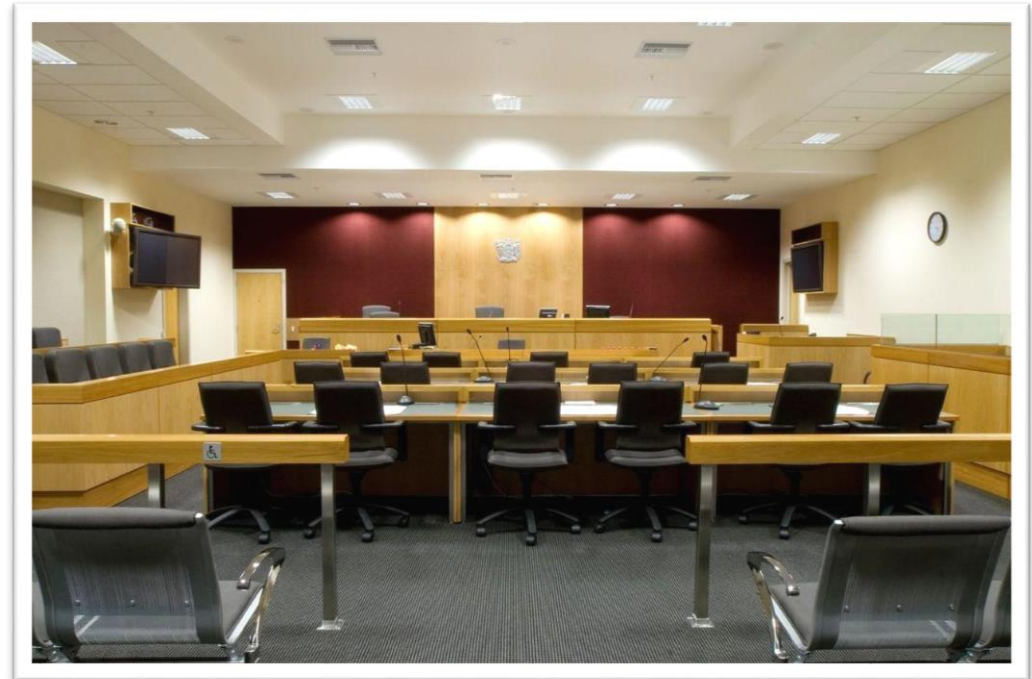



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- ❖ Provide a sense of security, legitimacy and authority through establishing a set way of doing things
 - ❖ Respond to societal concerns
 - ❖ Reaffirm communal values
 - ❖ Maintain stability and cohesion

NORMATIVE RITUALS

THE NORMATIVE FUNCTION OF THE COURT RITUAL

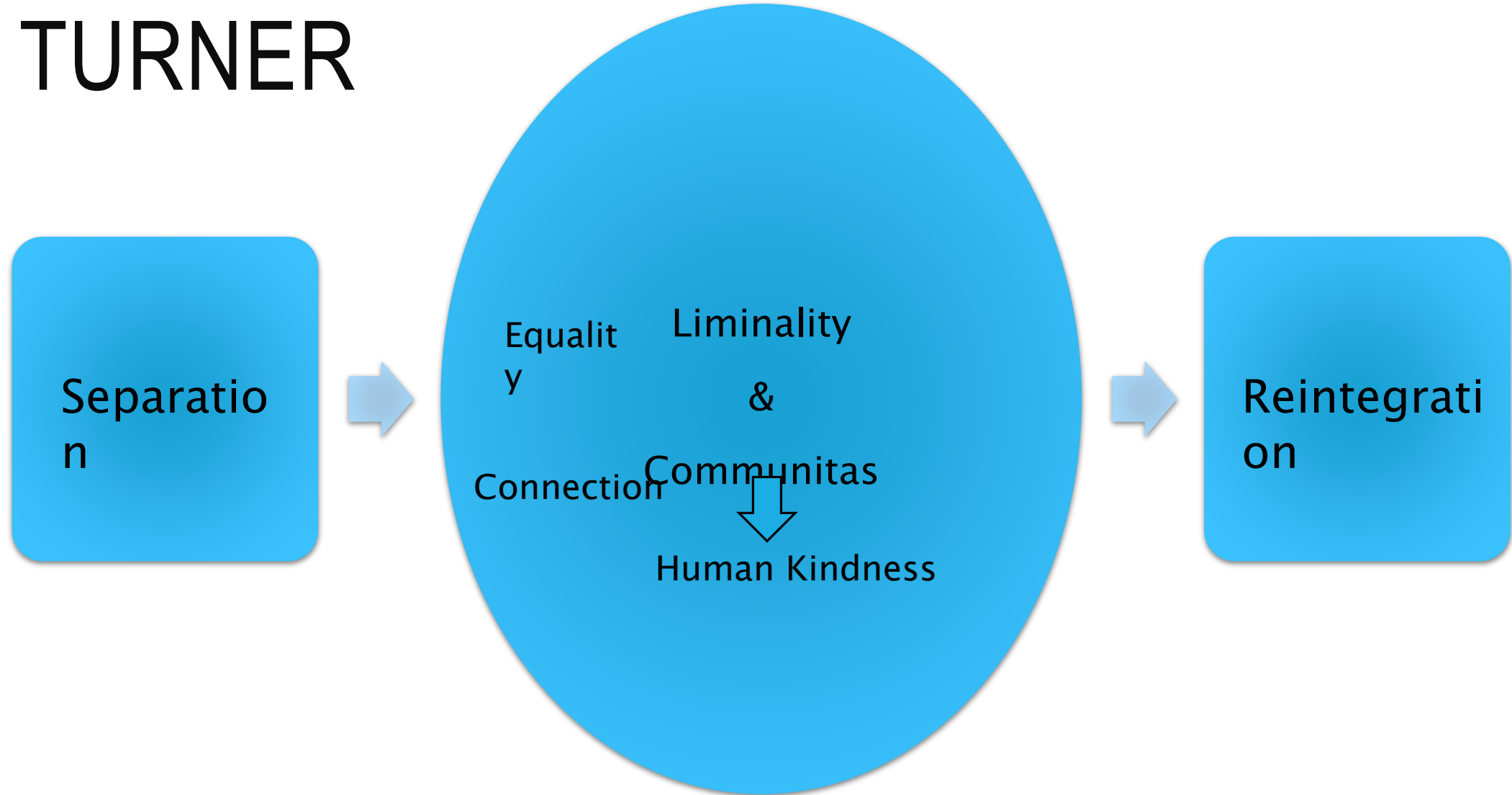
- Responds to societal concern for predictability and trustworthiness
- Establishes and reaffirms social values
- Maintains stability and cohesion



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- ❖ Lead to significant and lasting personal and relational change
 - ❖ Facilitate a deeper connection that may lead to a change in opinion or behavior

TRANSFORMATIVE RITUALS

TRANSFORMATIVE RITUAL-TURNER



TRANSFORM DURKHEIM

L-

Separate from
normal social
existence



Collective
effervescence



Collective
conscience



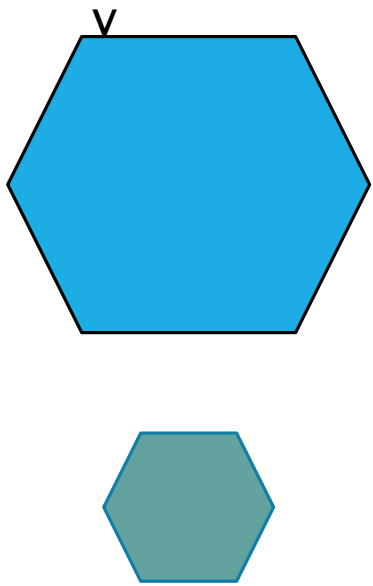
Moral
codes



Symbols of
sentiments
Desire to
recharge
collective
effervescence

TRANSFORMATIVE SHORTCOMINGS OF COURT RITUAL

Hierarchy

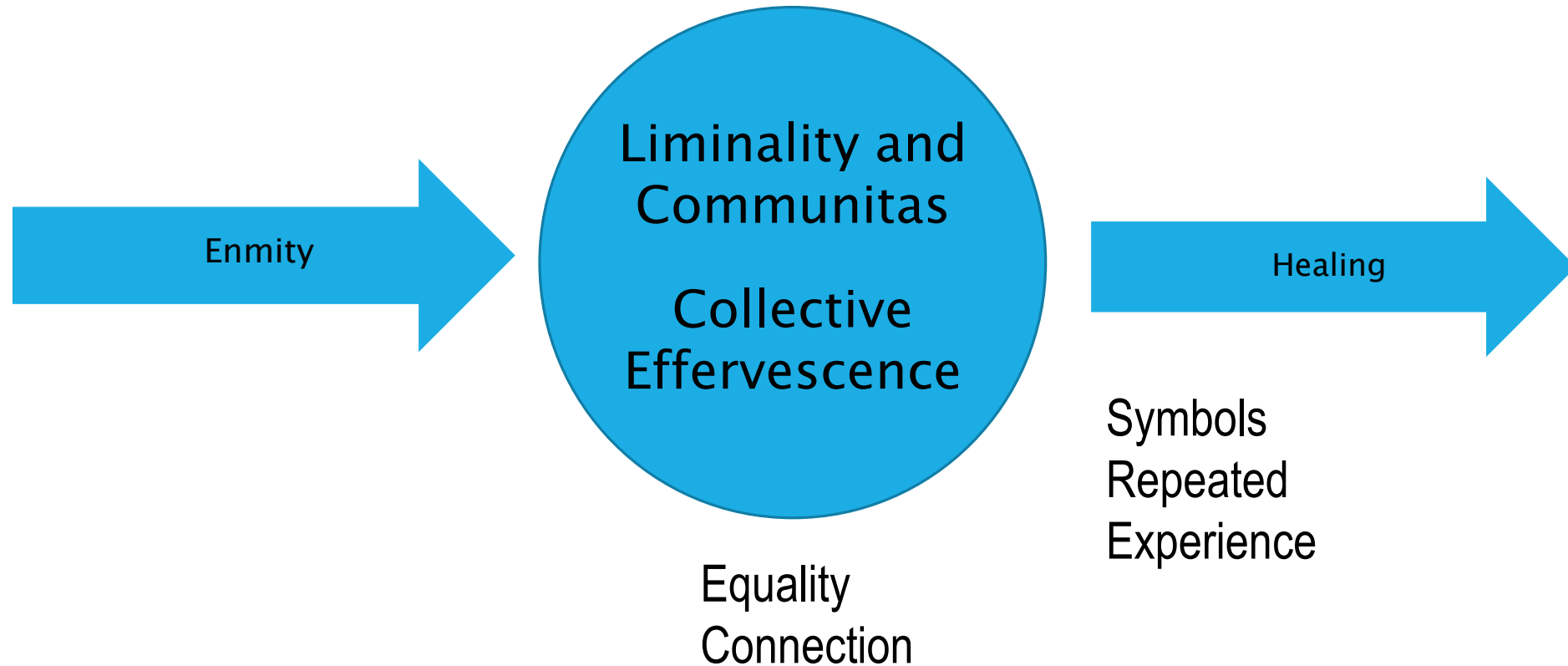


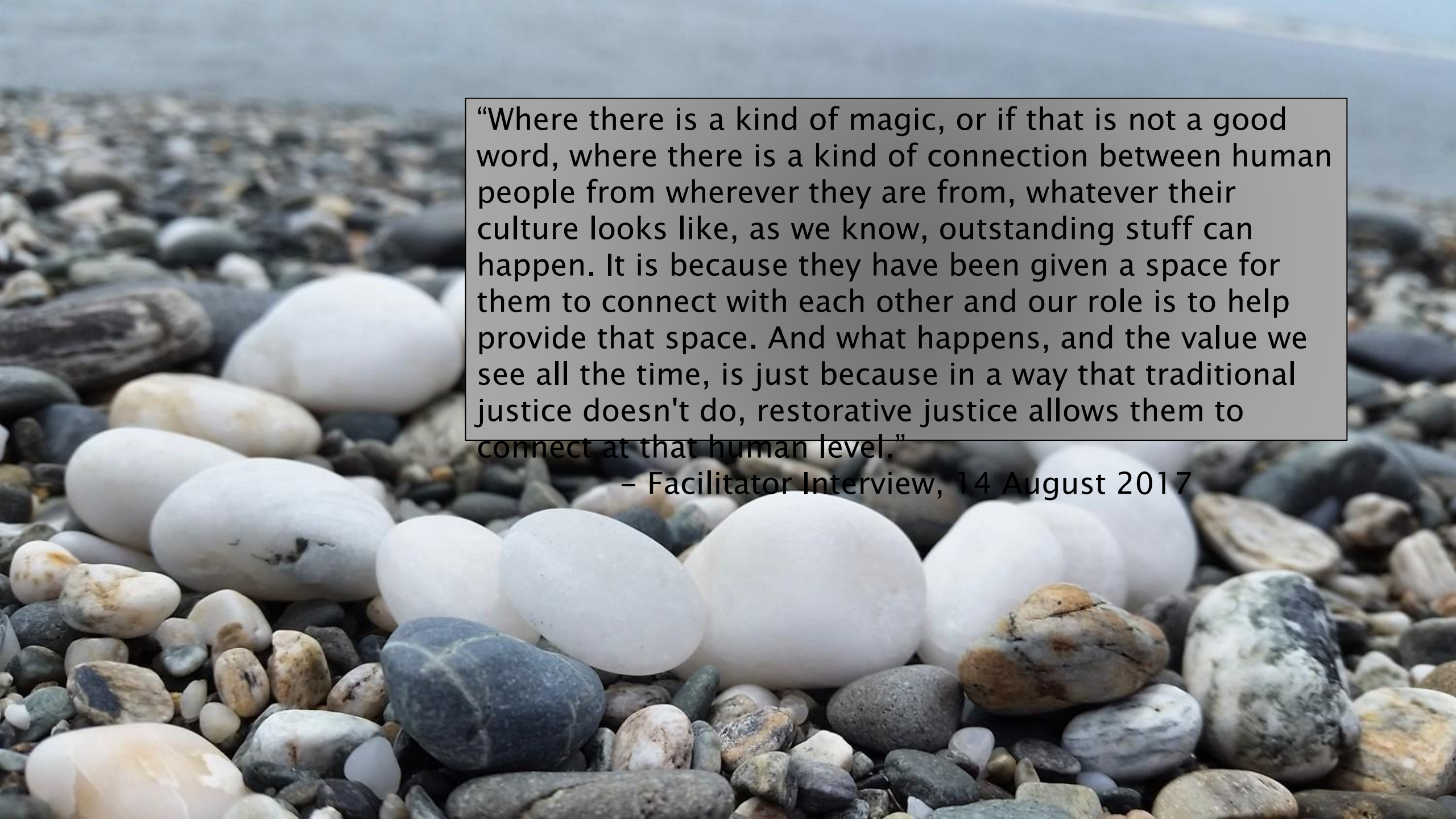
- Top down nature of sentencing ritual contradicts the equality necessary to invoke the liminal state or collective effervescence present in transformative rituals.
- Offenders are often vilified and face “stigmatizing shame.”
- The stigmatizing symbolism of the court system often leads to the continuation of criminal behavior.

Stigmatization



THE TRANSFORMATIVE FUNCTION OF THE RJ RITUAL





“Where there is a kind of magic, or if that is not a good word, where there is a kind of connection between human people from wherever they are from, whatever their culture looks like, as we know, outstanding stuff can happen. It is because they have been given a space for them to connect with each other and our role is to help provide that space. And what happens, and the value we see all the time, is just because in a way that traditional justice doesn't do, restorative justice allows them to connect at that human level.”

– Facilitator Interview, 14 August 2017

CONTRIBUTION

- Ritual considerations need to be taken into account lest the transformative impact of restorative justice be compromised through modification.
- Concrete recommendation of ideal ritual structure for facilitators and policy makers in order to extend and improve practice.

DISCUSSION QUESTIONS

With this understanding of RJ through a ritual lens,

1. What are the aspects of the RJ process that need to be safeguarded as it is adapted to fit new contexts?
2. How could the restorative justice ritual be improved to enhance its transformative effectiveness?



THANK YOU

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