BOOK REVIEW


In his introduction, co-editor Aertsen explains, in precise terms, that this book, ‘explores the potential and the limits of restorative justice in restoring justice and security in Europe by focusing on conflicts in intercultural contexts’ (p. 1). The exploration emanates from an ‘action research project’, called ALTERNATIVE, funded by the European Commission FP7 programme, and which ran from 2012 to 2016. The action research took place in four sites, namely (1) Vienna, Austria; (2) Kisváros,1 Hungary; (3) three border towns in Serbia; and (4) parts of Belfast and Londonderry, Northern Ireland. The work contains twelve chapters, contributed by nineteen authors, in addition to an introduction and a conclusion written by the editors. Aertsen’s overview of the book (pp. 3-8) provides really valuable context and detail about the rest of the book.

As is clear from the quote above, the book is about European research. The book’s intent is to push the envelope of restorative justice on that continent – to consider the potential of restorative justice philosophy and practice in dealing with conflict beyond the scope of criminal justice. One of the main issues that the research sought to establish was, if restorative justice in such intercultural settings is offered as an alternative, what the critical conditions for its operation would be (p. 3).

The initial chapters set the scene. Chapter 1 (Hydle & Seeberg) considers culture, in order to define the ‘intercultural’ element of the title of the whole book. The authors find that people of different cultural identities are brought into closer contact than ever before by the current world. This phenomenon is ‘central to security matters and threats in Europe’ (p. 20). In Chapter 2, Pali considers security and insecurity, and with the assistance of Foucault and Esposito, Pali attempts to lay the first steps that restorative justice needs to take in order to achieve a balance between those societies needing more participation and those needing stronger leadership to secure acceptable levels of security (p. 32). Both security and justice are put under a magnifying glass in Chapter 3 (Chapman); this focus is extended into Chapter 4 (Pelikan & Aertsen).

What community is, is therefore an important question, and is dealt with in Chapter 9 (Chapman & Kremmel). The authors conclude that community, when it is aimed at isolating its members from the rest of society, actually increases the risk of inter-group conflict (p. 160). Therefore, for restorative justice to function in such a milieu, it is essential to accept this reality and then work around it.

Some chapters place more focus on the specific site where the action research was conducted. Chapter 5 (Claes & Kremmel) considers the situation in Vienna, whereby a comparison is made with findings of another action research in Brus-

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1 This is a fictitious name, since the researchers decided not to make the town recognisable in their reports and publications about the project.
sels, to test whether restorative theory and practice can be made ‘sensitive to pressing urban issues’ (p. 77). They found that this was possible, if restorative practices have the following three objectives: (1) to bring conflicting groups together for a fairer share of ‘human capabilities’; (2) to create ‘collective projects’ out of the conflict, with the hope for a better future; (3) determining the things that these groups actually have in common (p. 90). The focus of Chapter 6 (Héra) is on the situation in the town Kíszáros, in Hungary; that of Chapter 7 (Nikolić-Ristanović et al.), on the border town in Serbia; while Chapter 8 (Wilson & Campbell) collected most of its data from Northern Ireland.

It is notable that the researchers encountered fear everywhere: ‘fear of “the other” arriving from outside in Vienna, fear of being deprived of one’s privileged position, as in Vienna and Kíszáros, and fear of losing one’s identity, as in Northern Ireland’ (p. 63).

It is important to state what the book is not. Generally, the book is not a report for the ALTERNATIVE research project. However, the authors have all been involved in the project, and their familiarity with all the reports appear in many of the chapters.

Does this work achieve its objectives? According to the Introduction (Aertsen: 3), the material in the book ‘should offer an original contribution to conflict regulation and security fields, mainly restorative justice’. It is intended to bring some insight, if not answers, to the following main questions: ‘What do justice and security mean in plural societies with various degrees and types of social differences? What are some of the existing discourses regarding both justice and security, and what are their dangers? Can restorative approaches offer an alternative to the existing discourse? And if yes, then under what critical conditions?’

Regarding the first question, it is clear from the assessment above that the meaning of justice and security in several different societies have been addressed in considerable detail, especially in Chapters 3 and 4. All the sites from which data was obtained involved plural societies with considerable differences.

As to the second question, it is a consistent theme of the book that intercultural conflict negatively impacts justice and security. One of the main sources of this conflict is increased migration into Europe by cultures not historically prominent in this continent. Immigration presents the main source of conflict in Vienna (and Brussels) (pp. 10-11). Europe is under increased pressure from movement of people, in and out of the continent, but also within the continent. As mentioned by Törsz, Lauwaert and Aertsen (Chapter 12), European states are struggling to deal with this issue, and refugees are often seen (implicitly or explicitly) as a threat (p. 199).

But migration is not the only source of conflict. Conflict in Hungary (Héra, Chapter 6) originates from the exclusion of the minority Roma people, which remains largely unaddressed. Serbia and Northern Ireland find their place in this research as post-conflict sites, where cultural differences resulted in conflict on a war-like scale. All these case studies provide answers to questions about the meaning of justice and security in these societies, that is, to the first question.

Each of the chapters considers the potential of restorative justice, in answering the third question. For example, on the face of it, restorative justice processes
can relieve the impasse between Roma and non-Roma people in Hungary, but Héra (pp. 104-105) notes seven conditions that should be taken into account when such processes are to be employed, such as that local tensions might be an indication of a problem that is actually much wider; and that it will take time.

Equally, the fourth question, about 'under what conditions?', is answered throughout the book. One example suffices for current purposes: Wilson and Campbell write that, 'Working to promote a restorative society demands [that we] need to come to understand [security and justice] as both relational experiences and in the essential cultures of the institutions we belong to, or go to, in daily life' (p. 139).

Pali concludes the book with a number of statements that is worth assessing. One is that the research 'required an exploration of the restorative justice field far beyond criminal justice' (p. 219). It is arguable how far beyond criminal justice this exploration actually goes. It is one of the characteristics of the book that it is not about restorative justice in the criminal justice context. On the other hand, conflict and the need for criminal justice in some form is rarely far removed from one another. And so, whether this exploration is really far removed depends on one's perspective. People active at the core of restorative justice as part of criminal justice might consider this far removed, but for those at the fringes, it will probably be quite close.

One of Pali’s most far-reaching claims is that the book is ‘an extremely original addition to the existing restorative justice literature...’ (p. 219). In my view this is not a far-fetched claim. It is in fact a contribution that opens up the field of restorative justice to a substantially broader audience than would otherwise be the case. In this sense, it does serve to revitalise the field (p. 219).

Pali concludes (p. 220) that the research resulting in the book showed that cultural differences is not necessarily a cause of insecurity, in the sense of a cause of crime, but it does lead to uncertainty. Ironically, in the ordinary meaning of the words, uncertainty and insecurity are synonyms.

The next important conclusion (p. 221) is that the European society’s response to increase security, especially with the use of technology, is not a lasting solution. On the contrary, it tends to isolate communities, causing them to ‘withdraw into themselves’, an action that increases the risk for radicalisation. What should rather happen, is that communities be revitalised. To this end, restorative justice ‘can become a tool for conviviality’ (p. 221).

In a way, this last sentence sums up the value of this book. It provides abundant proof that the current first reaction of many authorities, on security measures and technology, is harmful for relationships between people. In the longer run, it will ‘proliferate insecurity, increase boundaries and produce very thin forms of security’ (p. 222).

Who should benefit from buying and reading this book? Evidently, the immediate audience is all Europeans, from ordinary people to mediators to community leaders and politicians. However, even though the book is about research done in Europe, amongst European communities, its value lies far beyond European borders, to each society that is struggling with conflict. South Africa is a case in point. After almost a quarter of a century of majority rule, large sections of its
society still feel a very real resentment about Apartheid and its legacy. This resentment often erupts in verbal fights and, sometimes, in violence. Even where black and white are working together, they tend not to discuss the past – political discussions are often simply avoided. Although the data shows that the majority of people (more than 60%) believe that race relations have improved since 1994, a significant 21% of Blacks feel it has ‘gotten worse’ (South African Institute of Race Relations, 2018: 4). At the same time, 61% of black respondents now agree that South Africa is a country for blacks and that ‘whites must take second place’ (South African Institute of Race Relations, 2018: 6).

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References


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