

Restorative justice is “a process whereby all the parties with a stake in a particular offense come together to resolve collectively how to deal with the aftermath of the offense and its implications for the future” (Braithwaite, 1999: 5). Restorative justice is both instrumental in nature, focused on deterring wrongdoing, repairing harm, and improving relationships, as well as normative, being grounded, for example, in Aristotelian virtue ethics, the ethics of care, and philosophical discussions related to forgiveness and making amends. The notion of restorative justice is not new. Restorative justice draws on ancient concepts and practices abandoned in the late Middle Ages as formal justice systems began to define the obligation of offenders as a debt to the king or lord (and later, to the state) rather than to victims. These concepts and practices also have strong roots in indigenous cultures. Restorative justice has three basic objectives: restoring victims, reintegrating offenders back into the community, and facilitating community healing. Each objective reflects a set of core principles and values. Regarding restoring victims, these include receiving atonement (material reparations such as financial compensation or symbolic reparations such as an apology), forgiving the offender, and finding closure. Principles and values pertaining to reintegrating offenders include having offenders (a) accept responsibility and accountability, (b) engage in respectful dialogue with those affected by the wrongdoing, (c) feel remorse, and (d) offer apologies and/or other restitution. About community healing, principles and values include building trust, offering forgiveness to offenders, and collective education and learning. Active participation is another core principle that links all three parties—the victim, the offender, and the community. Restorative justice does depart from the traditional orientation toward punishment (particularly retribution) by being “forward looking” and emphasizing mechanisms by which the offender, as well as the victim, can be restored in the aftermath of unethical behavior. A prominent role is also played by forgiveness, which may provide a superior alternative to retaliation in terms of providing satisfaction and psychological benefits to victims as well as restoring a sense of justice in the workplace. Attention also is directed toward more collaborative ways in which punishment is determined. In a traditional restorative justice process, the offender, victim, and community/organizational representatives meet and determine the appropriate punishment. This differs from more formalized retributive punishment systems where wrongdoing is categorized and penalties are imposed in a manner consistent with the nature of the act. Moral philosophers have also devoted important attention to significant areas of relevance for restorative justice, particularly as noted above, with respect to forgiveness. Margaret Urban Walker (2006) brings together core practices of restorative justice—making amends, forgiveness, and reintegration—in her rich discussion of moral repair. Walker uses the term “moral repair” in reference to the responses of individuals, organizations, and the state—whether offender, victim, or other—to wrongdoing and harm. She underscores the importance of a focus on moral repair, noting, “Moral philosophers following Immanuel Kant have often described ethics as answering the question, ‘What ought I to do?’ This seems to imply a set of choices on a fresh page. One of the recurrent ethical tasks, however, is better suggested by the question ‘What ought I—or, better, we—to do now?’ after someone has blotted or torn the page by doing something wrong.” Walker’s discussion of moral repair emphasizes the importance of “restoring or stabilizing—and in some cases creating—the basic elements that sustain human beings in a recognizably moral relationship” (Walker, 2006: 23), in particular trust and accountability. Walker suggests that when moral relationships have been violated, moral repair (among offender, victim, and community stakeholders) is needed to sustain confidence and hope in shared ethical standards within a community and restore trust that

individuals and institutions will honor these standards and reproach those who undermine them. According to Walker, moral repair is a responsibility that involves multiple parties affected by wrongdoing including offenders, victims, and communities. For offenders, moral repair primarily involves making amends, for victims it is forgiveness, and for the community moral repair is achieved through supporting the victim while providing the opportunity to reintegrate the offender back into the community. These concerns are at the heart of discussions of how offenders (making amends), victims (forgiveness), and community interests (reintegration of offenders and community healing) work together to repair harm and damaged relationships. Offenders, victims, and community interests all play a vital role in the dynamics of moral repair and restorative justice.

## WORKPLACE COMMUNITY: FACILITATING OFFENDER REINTEGRATION

From the perspective of the broader workplace, restorative justice aims at offering those responsible for wrong and harm the opportunity through accountability and repair, to earn self-respect and to be reintegrated into their communities. Karp and Conrad (2005) provide one example of how an emphasis on reintegration has influenced organizational practices in a college setting. They highlight the operations of the Integrity Board at Skidmore College. They point to one case in which a college student was suspended for a year for using cocaine and then was re-admitted with the understanding that the student would be involved in leading conferences/workshops on campus related to drug abuse. Karp and Conrad (2005) also describe how violators of academic integrity may be asked to participate in orientations to share with new students the importance of not cheating. Each of these examples reinforces a critical focus for reintegration—providing the wrongdoer with an opportunity to make reparations to the community whose norms he or she has violated. . . . Restorative justice helps shift the way we think about when ethics matters—in the aftermath of un-ethical activity. Restorative justice also redirects thinking about who matters in ethics—those who have committed transgressions, their victims, and those who may play a significant role in fostering the reintegration of these individuals back into their departments and organizations. Finally, restorative justice draws attention to underemphasized areas in ethics about what matters, how we define moral responsibilities in the context of repairing and rebuilding relationships damaged through unethical behavior, and the significance of ideas such as moral repair, making amends, forgiveness, reintegration, and earned redemption.