

## Course Outline

COURSE:	LAWS 5904F: Contemporary Topics: Community & Restorative Justice
TERM:	Fall 2012
PREREQUISITES:	LAWS
CLASS:	Day & Time: Tuesdays, 11:35-14:35 Room: Loeb D492
INSTRUCTOR:	Jane Dickson-Gilmore, PhD(Law)
CONTACT:	Office: D592 Loeb Office Hrs: Mondays, 9:30-11:30 or by appointment only Telephone: 613-520-2600, ex.3686 Email: Jane_dickson-gilmore@carleton.ca

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You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

**Pregnancy obligation:** write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

**Religious obligation:** write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

**Academic Accommodations for Students with Disabilities:** The Paul Menton Centre for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or [pmc@carleton.ca](mailto:pmc@carleton.ca) for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

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### COURSE DESCRIPTION

From petty crimes perpetrated by fractious teens through redressing gross violations of human rights and mass violence, restorative principles and processes have promised to repair harms, heal victims and hold offenders accountable as well as shift them onto paths of future lawfulness. Focusing on both the theory and practice of restorative justice, this course will critique restorative justice processes, querying the degree to which these have kept their promises and provided 'better justice' or a viable, sustainable alternative to dominant criminal justice processes.

## **REQUIRED TEXTS**

The required reading for this course will be drawn from a range of sources, all of which are available online or will be made available through the Law Department.

## **EVALUATION**

**(All components must be completed in order to get a passing grade)**

### **Attendance and Participation: 30%**

It is expected that students will not only attend every class, but that they will actively engage class debates and discussions and do so in an informed and articulate manner. Please note that attendance will not constitute more than 10% of this portion of your final course grade, the balance of which will be determined by both *quantity and quality* of participation over the entire term.

### **Research Presentation: 20%.**

Over the course of the term, this class will focus on questions and issues in restorative and community justice. Each week, 1-2 students (depending on enrolment) will be required to attend class with three original articles, research reports or quality commentary/critique directly pertinent to the issue of focus in that class. It is expected that presenters will directly and critically integrate their research with the readings and issues of the week as well as the overarching theme of the course, and that these linkages be clear and fully-explicated in their presentation. Presentations will be a of approximately 20 minutes in length and will be supported by a handout which will adopt a critical annotated bibliography format providing a full citation for each article/report as well as a critical summary of its contents and location of this within the broader issue of the day and course. This component of the course requirements will be assessed in terms of (1) quality, timeliness and topicality of articles/reports/commentary; (2) depth, detail and critical analysis evidenced in the presentation; (3) degree of debate and discussion created by the presentation.

### **Research Paper: 35%**

Students will be expected to select a topic for an in-depth research paper of no more than 30 pages in length drawing upon no fewer than 20 references. The paper will be well-written in an appropriately scholarly style and will be fully and appropriately referenced and carefully proofed. It must be received by the Professor by noon on November 30, 2012. Late papers will not be accepted without a compelling and documented reason; late submissions which are accepted may be subject to a penalty of 5% per day.

Statements of topic must be provided to the instructor in the fourth week of class. This statement must include (1) clear statement of research question or thesis statement; (2) how this fits with the subject-matter of the course (2) research methodology and (3) preliminary list of sources/references.

### **Presentation of Research Paper: 15%**

Students will be expected to present their paper topic in a seminar presentation of no less than 30 minutes. The presentation must communicate the hypothesis or thesis statement clearly and ground this in the research generally and the course in particular; key issues in the subject area should be outlined and elucidated, and a position taken on those issues. Presentations will be assessed for their clarity, completeness and coherence, the degree of authority demonstrated by the presenter and her/his ability to inspire debate and respond to questioning. Presentations must be accompanied by a handout which outlines and summarizes the research and presentation, and a list of references containing only those materials referenced in the body of a presentation or paper (if you don't use it, don't list it).

**SCHEDULE & READINGS:****WEEK 1 (11 SEPT.) COURSE INTRODUCTION****WEEK 2 (18 SEPT.) THE BASIS OF RESTORATIVE JUSTICE***Required reading:*

1. John Braithwaite. "Restorative Justice: Assessing Optimistic and Pessimistic Accounts". *Crime and Justice*, vol. 25 (1999), pp.1-127. Online at: <http://www.jstor.org/stable/1147608>
2. Eric P. Baumer, Richard Wright, Kristrun Kristinsdottir, & Helgi Gunnlaugsson, "Crime, Shame, and Reintegration. The Case of Iceland", *British Journal of Criminology*, vol.41 (2002), pp.40-59. Online at: [http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/00070955/v42i0001/40\\_csartc oi.xml](http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/00070955/v42i0001/40_csartc oi.xml).

*Optional reading:*

3. David O. Friedrichs, "Restorative Justice and the criminological enterprise", in Dennis Sullivan and Larry Tiftt (eds.) *Handbook of Restorative Justice* (London: Routledge International Handbooks, 2008), pp.439-462.
4. Todd R. Clear, "Community justice versus restorative justice: contrasts in family of value", in Dennis Sullivan and Larry Tiftt (eds.) *Handbook of Restorative Justice* (London: Routledge International Handbooks, 2008), pp.463-471.
5. Theo Gavrielides, "Restorative justice-the perplexing concept: Conceptual fault-lines and power battles within the restorative justice movement", *Criminology and Criminal Justice* Vol.8(2) (2002), pp.165-183. Online at: <http://journals2.scholarsportal.info.proxy.library.carleton.ca/journal.xqy?uri=/17488958>.

**WEEK 3 (25 SEPT.) THE POLITICS OF RESTORATIVE JUSTICE***Required reading:*

1. Andrew Woolford. *The Politics of Restorative Justice. A Critical Introduction* (Winnipeg: Fernwood Publishing, 2009).

*Optional reading:*

2. Chris Anderson, "Governing Aboriginal Justice in Canada: Constructing Responsible Individuals and Communities through 'Tradition'", *Crime, Law and Social Change* 31 (4) (1999), pp.303-326. Online at: <http://journals2.scholarsportal.info.proxy.library.carleton.ca/journal.xqy?uri=/09254994>.
3. Emily Garder & Lois Presser, "A feminist view of justice? The problems and possibilities of restorative justice for girls and women", in Dennis Sullivan and Larry Tiftt (eds.) *Handbook of Restorative Justice* (London: Routledge International Handbooks, 2008), pp.483-494.
4. Julie Stubbs, "Beyond Apology? Domestic violence and critical questions for restorative justice", *Criminology and Criminal Justice*, vol.7(2) (2007), pp.169-187. Online at: <http://journals2.scholarsportal.info.proxy.library.carleton.ca/journal.xqy?uri=/17488958>.

**WEEK 4 (2 OCT.) ACCOUNTABILITY IN RESTORATIVE JUSTICE***Required reading:*

1. Declan Roche. *Accountability in Restorative Justice* (Oxford: Clarendon Studies in Criminology 2003).

*Optional reading:*

2. Bas Van Stokkom, "Moral emotions in restorative justice conferences: Managing shame, designing empathy". *Theoretical Criminology* vol.2 (2002), pp.339-360. Online at: <http://tcr.sagepub.com/cgi/content/abstract/6/3/339>.
3. Nathan Harris & Shadd Maruna, "Shame, shaming and restorative justice", in Dennis Sullivan and Larry Tiftt (eds.) *Handbook of Restorative Justice* (London: Routledge International Handbooks, 2008), pp.452-462.
4. Kathleen Daly, "Restorative Justice: The real story", *Punishment and Society*, vol.4(1) (2002), pp.55-79. Online at: <http://journals2.scholarsportal.info.proxy.library.carleton.ca/journal.xqy?uri=/14624745>

**WEEK 5 (9 OCT.) RESTORATIVE JUSTICE: DOES IT DELIVER?***Required reading:*

1. Lawrence W. Sherman & Heather Strang. *Restorative Justice: The Evidence* (London, UK: The Smith Institute, 2007). Online at: [http://www.smith-institute.org.uk/publications.html?category\\_id=11](http://www.smith-institute.org.uk/publications.html?category_id=11).

*Optional reading:*

2. James Bonta, Rebecca Jesseman & Robert Cormier, "Restorative Justice: Promises made, promises kept?", in Dennis Sullivan and Larry Tiftt (eds.) *Handbook of Restorative Justice* (London: Routledge

International Handbooks, 2008), pp.108-120.

3. Kathleen Daly, "The Limits of Restorative Justice", in Dennis Sullivan and Larry Tiftt (eds.) *Handbook of Restorative Justice* (London: Routledge International Handbooks, 2008), pp.134-146.

### WEEK 6 (16 OCT) RESTORATIVE JUSTICE AND VICTIMS:

#### Required reading:

1. Sandra Walklate, "Changing the boundaries of the 'victim' in restorative justice. So who is the victim now?" in Dennis Sullivan and Larry Tiftt (eds.) *Handbook of Restorative Justice* (London: Routledge International Handbooks, 2008), pp.273-285.
2. Mary Achilles & Lorraine Stutzman-Amstutz, "Responding to the needs of victims: what was promised, what has been delivered", in Dennis Sullivan and Larry Tiftt (eds.) *Handbook of Restorative Justice* (London: Routledge International Handbooks, 2008), pp.211-220.
3. J. Scott Kenney & Don Clairmont, "Using the Victim as Both Sword and Shield: The Interactional Dynamics of Restorative Justice Sessions" *Journal of Contemporary Ethnography*, vol.38(4) (2009), pp.279-307. Online at: [http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/08912416/v38i0003/279\\_utvra\\_bsas.xml](http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/08912416/v38i0003/279_utvra_bsas.xml).
4. Clare McGlynn, Nicole Westmarland & Nikki Godden, 'I just wanted him to hear me': Sexual violence and the Possibilities of Restorative Justice", *Journal of Law and Society*, vol.39(2) (2012), pp.213-240. Online at: [http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/0263323x/v39i0002/213\\_jwhth\\_matporj.xml](http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/0263323x/v39i0002/213_jwhth_matporj.xml).

#### Optional reading:

5. James R. Acker, "Hearing the Victim's Voice amidst the cry for capital punishment", in Dennis Sullivan and Larry Tiftt (eds.) *Handbook of Restorative Justice* (London: Routledge International Handbooks, 2008), pp. 246-260.
6. Mary Crnkovich, *The role of the victim in the criminal justice system: Circle Sentencing in Inuit Communities*. Paper prepared for the Canadian Institute for the Administration of Justice Conference, Banff, Alberta, November 1995. Online at: [www.casac.ca/issues/mary\\_crnkovich.htm](http://www.casac.ca/issues/mary_crnkovich.htm)

### WEEK 7 (23 OCT.) EVALUATING RESTORATIVE PROCESSES AND OUTCOMES

#### Required reading:

1. James Latimer, C. Dowden & D. Muisse, *The Effectiveness of Restorative Justice Practices: A Meta-Analysis* (Ottawa: Department of Justice, 2001). Online at: [www.justice.gc.ca/eng/pi/rs/rep-rap/2001/rp01\\_1.../rp01\\_1.pdf](http://www.justice.gc.ca/eng/pi/rs/rep-rap/2001/rp01_1.../rp01_1.pdf).
2. Gwen Robinson & Joanna Shapland, "Reducing Recidivism: A Task for Restorative Justice?" *British Journal of Criminology*, vol.48 (200\*), pp.337-358. Online at: [http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/00070955/v48i0003/337\\_rr.xml](http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/00070955/v48i0003/337_rr.xml).
3. David Miers, "Situating and researching restorative justice in Great Britain", *Punishment and Society*, vol.6(1) (2004), pp.23-46. Online at: [http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/14624745/v06i0001/23\\_sarrjig\\_b.xml](http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/14624745/v06i0001/23_sarrjig_b.xml).

#### Optional reading:

4. Lois Presser ; Patricia Van Voorhis, Values and Evaluation: Assessing Processes and Outcomes of Restorative Justice Programs." *Crime & Delinquency*, vol.48(1) (2002), pp.162-188. Online at: [http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/00111287/v48i0001/162\\_vaea\\_paoorjp.xml](http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/00111287/v48i0001/162_vaea_paoorjp.xml).
5. Tanya Ruggie, Jame Bonta & Suzanne Wallace-Capretta. *Evaluation of the Collaborative Justice Project: A Restorative Justice Program for Serious Crime* (Ottawa: Public Safety and Emergency Preparedness Canada, 2005).

**WEEK 8 (30 OCT.) THE CHALLENGE OF 'COMMUNITY' IN COMMUNITY JUSTICE***Required reading:*

1. Jane Dickson-Gilmore & Carol LaPrairie, "Providing a Context for the Challenge of Community Justice: Exploring the Implications for Restorative Initiatives in Disordered Environments", in Jane Dickson-Gilmore & Carol LaPrairie, *Will the Circle be Unbroken? Aboriginal Communities, Restorative Justice, and the Challenges of Conflict and Change* (Toronto: University of Toronto Press, 2005), pp.111-130.
2. Robert J. Sampson & Stephen W. Radenbush, *Disorder in Urban Neighborhoods—Does It Lead to Crime?* Washington: U.S. Department of Justice, National Institute of Justice Research in Brief, February 2001, Online at: [www.ncjrs.gov/pdffiles1/nij/186049.pdf](http://www.ncjrs.gov/pdffiles1/nij/186049.pdf).
3. William J. Sabol, Claudia J. Coulton, & Jill E. Korbin, "Building Community Capacity for Violence Prevention", *Journal of Interpersonal Violence*, vol.19(3) (2004), pp.322-340. Online at: [http://journals1.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/08862605/v19i0003/322\\_bccfv.p.xml](http://journals1.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/08862605/v19i0003/322_bccfv.p.xml).
4. Lorraine Mazerolle, Rebecca Wickes, & James McBroom, "Community Variations in Violence: The Role of Social Ties and Collective Efficacy in Comparative Context", *Journal of Research in Crime and Delinquency*, vol.47(1) (2010), pp.3-30. Online at: [http://journals1.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/00224278/v47i0001/3\\_cvivtrac.eicc.xml](http://journals1.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/00224278/v47i0001/3_cvivtrac.eicc.xml).

*Optional reading:*

5. Mary Ohmer, "How Theory and Research Inform Citizen Participation in Poor Communities: The Ecological Perspective and Theories on Self- and Collective Efficacy and Sense of Community", *Journal of Human Behavior in the Social Environment*, vol.20 (1010), pp.1-19. Online at: [http://journals1.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/10911359/v20i0001/1\\_htaricce.asoc.xml](http://journals1.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/10911359/v20i0001/1_htaricce.asoc.xml).
6. Rob White, "Communities, conferences and restorative social justice", *Criminal Justice*, vol 3(2) (2003), pp.139-160. Online at: [http://journals1.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/17488958/v03i0002/139\\_ccars.j.xml](http://journals1.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/17488958/v03i0002/139_ccars.j.xml).

**WEEK 10 (13 NOV.) MANAGING HARD CASES IN RESTORATIVE JUSTICE***Required reading:*

1. Barbara Hudson, "Restorative Justice and Gendered Violence: Diversion or Effective Justice?" *British Journal of Criminology*, vol.42 (2002), pp.616-634. Online at: [http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/00070955/v42i0003/616\\_rjagv.doej.xml](http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/00070955/v42i0003/616_rjagv.doej.xml).
2. Kathleen Daly, "Restorative Justice and Sexual Assault. An Archival Study of Court and Conference Cases", *British Journal of Criminology*, vol.46 (2006), pp.334-356. Online at: [http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/00070955/v46i0002/334\\_rjasa.xml](http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/00070955/v46i0002/334_rjasa.xml).
3. Angela Cameron, "Sentencing Circles and Intimate Violence: A Canadian Feminist Perspective", *Canadian Journal of Women and the Law*, vol.18(2) (2006), pp.479-512. Online at: <http://muse.jhu.edu/journals/wl/summary/v018/18.2cameron.html>.
4. Joanne Belknap & Courtney McDonald, "Judges' Attitudes about and Experiences with Sentencing Circles in Intimate-Partner Abuse Cases", *Canadian Journal of Criminology and Criminal Justice*, vol.52(4) (2010), pp.369-394. Online at: <http://muse.jhu.edu/journals/ccj/summary/v052/52.4.belknap.html>.

*Optional reading:*

5. Julie Stubbs, "Beyond Apology?: Domestic Violence and critical questions for restorative justice", *Criminology and Criminal Justice*, vol.7 (2006), pp.169-187. Online at: <http://crj.sagepub.com/content/7/2/169>.
6. Heather Nancarrow, "In search of justice for domestic and family violence. Indigenous and non-indigenous Australian women's perspectives", *Theoretical Criminology* Vol.10(1) (2006), pp.87-106. Online at: [http://journals1.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/13624806/v10i0001/87\\_isojfdafv.xml](http://journals1.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/13624806/v10i0001/87_isojfdafv.xml).
7. Carla Cesaroni, "Releasing Sex Offenders into the Community through "Circles of Support" – A Means of Reintegrating the Worst of the Worst", *Journal of Offender Rehabilitation*, vol.34(2) (2001), pp.85-98. Online at: <http://www.haworthPress.com>.

**WEEK 9 (NOV.) THE EARLY YEARS: VOM***Required reading:*

1. Mark S. Umbreit, Robert B. Coates & Betty Vos, "Victim offender mediation: an evolving evidence-based practice" in **Dennis Sullivan and Larry Tiffit (eds.) *Handbook of Restorative Justice* (London: Routledge International Handbooks, 2008), pp.52-62.**
2. Christa Pelikan & Thomas Trenczek, "Victim offender mediation and restorative justice: the European landscape", in Dennis Sullivan and Larry Tiffit (eds.) *Handbook of Restorative Justice* (London: Routledge International Handbooks, 2008), pp.63-90.

*Optional reading:*

3. William Bradshaw, David Roseborough & Mark S, Umbriet, "The Effect of Victim-Offender on Juvenile Offender Recidivism: A Meta-Analysis". *Conflict Resolution Quarterly*, vol.24(1) (2006), pp.87-98. Online at: [http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/15365581/v24i0001/87\\_teovo\\_mojoram.xml](http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/15365581/v24i0001/87_teovo_mojoram.xml).
4. Mark S. Umbreit & Betty Vos, "Homicide Survivors meet the Offender Prior to Execution", *Homicide Studies*, vol.4(1) (2000), pp.68-87. Online at: [http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/10887679/v04i0001/63\\_hsmtote.xml](http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/10887679/v04i0001/63_hsmtote.xml).
5. Jung Jin Choi & Margaret Severson, "What! What kind of apology is this?": The nature of apology in victim-offender mediation". *Children and Youth Services Review* vol.31 (2000), pp.813-820. Online at: [http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/01907409/v31i0007/813\\_wkoa\\_itoaivom.xml](http://journals2.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/01907409/v31i0007/813_wkoa_itoaivom.xml).

**WEEK 11 (20 NOV.) TODAY: CIRCLES, CONFERENCES AND BEYOND – The Aboriginal Example***Required reading:*

1. Jane Dickson-Gilmore & Carol LaPrairie, "Testing the 'Magic': Sentencing Circles in Aboriginal Community Restorative Justice", in Jane Dickson-Gilmore & Carol LaPrairie, *Will the Circle be Unbroken? Aboriginal Communities, Restorative Justice, and the Challenges of Conflict and Change* (Toronto: University of Toronto Press, 2005), pp.131-153.
2. Jane Dickson-Gilmore & Carol LaPrairie, "'Taking Responsibility': Conferencing and Forums in Canadian Aboriginal Communities", in Jane Dickson-Gilmore & Carol LaPrairie, *Will the Circle be Unbroken? Aboriginal Communities, Restorative Justice, and the Challenges of Conflict and Change* (Toronto: University of Toronto Press, 2005), pp.154-178.
3. John Edward Deukmedjian, "The Rise and Fall of RCMP Community Justice Forums: Restorative Justice and Public Safety Interoperability in Canada". *Canadian Journal of Criminology and Criminal Justice*, vol. 50(2) (2008), pp. 117-151. Online at: [http://muse.jhu.edu.proxy.library.carleton.ca/journals/canadian\\_journal\\_of\\_criminology\\_and\\_criminal\\_justice/v050/50.2.deukmedjian.html](http://muse.jhu.edu.proxy.library.carleton.ca/journals/canadian_journal_of_criminology_and_criminal_justice/v050/50.2.deukmedjian.html).

*Optional reading:*

4. Joan Pennell, Stephanie Francis, "Safety Conferencing: Toward a Coordinated and Inclusive Response to Safeguard Women and Children." *Violence Against Women*, vol.11 (5) (2005),pp. 666-692. Online at: [http://journals1.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/10778012/v11i0005/666\\_sc.xml](http://journals1.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/10778012/v11i0005/666_sc.xml).
5. Barry Stuart, "Sentencing Circles: Making 'Real Differences'", in Julie MacFarland, ed., *Rethinking Disputes: The Mediation Alternative* (Toronto: Edmond Montgomery Publications Ltd., 1997):201-233.
6. Gillain Balfour, "Falling Between the Cracks of Retributive and Restorative Justice: The Victimization and Punishment of Aboriginal Women", *Feminist Criminology*, vol.3(2) (2008), pp.101-120. Online at: [http://journals1.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/15570851/v03i0002/101\\_fbtco\\_rarj.xml](http://journals1.scholarsportal.info.proxy.library.carleton.ca/details.xqy?uri=/15570851/v03i0002/101_fbtco_rarj.xml).

**WEEK 12 (27 NOV.) RESTORATIVE PROCESSES AS TRANSITIONAL JUSTICE***Required reading:*

1. Chris Cunneen, "Exploring the relationship between reparations, the gross violation of human rights, and restorative justice", in Dennis Sullivan and Larry Tift (eds.) *Handbook of Restorative Justice* (London: Routledge International Handbooks, 2008), pp. 355-368.
2. Charles Villa-Vicencio, "Transitional Justice, restoration and prosecution" in Dennis Sullivan and Larry Tift (eds.) *Handbook of Restorative Justice* (London: Routledge International Handbooks, 2008), pp. 387-400.
3. Jennifer J. Llewellyn, "Dealing with the Legacy of Native Residential Schooling in Canada: Litigation, ADR, and Restorative Justice." *University of Toronto Law Journal*, vol.521 (Summer 2002), pp.253.
4. Ken Cooper-Stephenson, "Reparations for Residential School Abuse in Canada: Litigation, ADR and Politics" (unpublished manuscript)

*Optional reading:*

5. Martha Minow, *Between Vengeance and Forgiveness. Facing History after Genocide and Mass Violence* (Boston; Beacon Press, 1998).