

Justice That Transforms: Restorative Justice — “Not Enough!”

Preface

Once more, as I have edited the material for this fourth book in the *Justice That Transforms* series, I found myself reflecting on the work of Howard Zehr — and by extension, wider developments in the field he has played a significant part in.

The former is not a new thing. You may find previous discussions in an essay introducing my Restorative Justice website page,¹ and also introducing the first chapter of my *Justice That Transforms: Volume 1*. Similar interaction is to be found in my *Justice That Transforms: Volume Two*.²

Zehr was head of the Mennonite Central Committee (MCC) US Office of Criminal Justice, when in 1989 I took over a similar role from Dave Worth, to head up the Canadian MCCC Victim Offender Ministries counterpart. The entire ministry had initially been directed by Canadian Edgar Epp,³ who had in the first place proposed to then MCC Bi-national⁴ the idea of creating an entity that would deal with crime and punishment issues.

After Epp left that position,⁵ it was decided to establish two separate offices that would continue working collegially on these matters. Worth and Zehr did that reciprocal work well.

I felt no small shock in 1990, when I received notice that Zehr had published his book, *Changing Lenses*. There had been no mention to me of his project while in the making. That became my first strong hint that Zehr had little or no interest in continuing collegiality with the Canadian office. And hint turned into enduring experience.

When finally, I asked him, “What happened?,” there was a wan response that he and I just hadn’t “clicked,” like he and Dave Worth had. . .

I had taken over from Dave publication of *Accord*, a Canadian Restorative Justice newsletter (started earlier by Edgar Epp, with the name, “*Release*”), in which I also had published Zehr’s and my stuff. Zehr produced a counterpart as well. It became clear there was to be little support or collaboration about our newsletters, either.

I supply this small bit of narrative because, while I have puzzled subsequently about that felt “*snubbery*,” a best guess at why, follows.

It probably arises from my close collaboration with American-born Quaker, Ruth Morris,⁶

¹ See: <https://waynenorthey.com/justice/>, accessed August 19, 2024.

² 205 – 206. Also elsewhere on my website, see: https://www.amazon.com/Justice-That-Transforms-Wayne-Northey/dp/1730768636/ref=sr_1_2?keywords=Justice+That+Transforms%3A+Volume+Two&qid=1583039474&s=books&sr=1-2, accessed August 19, 2024.

³ See: https://gameo.org/index.php?title=Epp%2C_Edgar_Willis_%281931-1991%29, accessed August 19, 2024.

⁴ An overarching entity for both North American MCCs — eventually phased out.

⁵ Edgar was a truly remarkable character, and had a long correctional career in many parts of Canada, including twice as provincial prison warden; and was outspoken in his commitment to prison abolition. He also dismantled the gallows at Prince Albert Correctional Centre for Men a full 10 years before capital punishment in Canada was abolished. After he was fired for his outspokenness as Deputy Minister of Corrections in BC, he got his wish when Oakalla Prison (see: https://en.wikipedia.org/wiki/Oakalla_Prison, accessed August 19, 2024) in Burnaby BC was closed: an early 20th-century veritable dungeon.

I had worked there as a recreation officer one summer, and into that fall (1975). The next summer and fall, I worked as a guard strictly night shift in the Main Hall, by request and design; thereby avoided training in the use of firearms. Had I been ordered to take the training, I would have quit on the spot!

⁶ See: *Wikipedia* (https://en.wikipedia.org/wiki/Ruth_Morris, accessed August 19, 2024).

A brief biography of her is also found here: Ruth Rittenhouse Morris

(<https://www.quakersintheworld.org/quakers-in-action/162/Ruth-Rittenhouse-Morris>, accessed August 19, 2024).

Justice That Transforms: Restorative Justice — “Not Enough!”

recipient of Canada’s highest award: “The Order of Canada.”⁷ I accompanied on May 30, 2001 Restorative Justice professor and fellow-traveller, Liz Elliott,⁸ to Salmon Arm, British Columbia, for an intimate award ceremony in Ruth’s home, just months before her death from kidney cancer.

Her *clarion call* in response to Restorative Justice as embraced by Howard Zehr and acolytes then was ever: “*Not Enough!*” She was convincing.

I wrote the following in my paper titled, “*Not Enough! and International Restorative Justice’: COV&R⁹ Presentation May 31 – June 4, 2006, Ottawa, Ontario, Canada*”¹⁰:

However, Restorative Justice has stopped at the borders of state criminal justice, and has so far not pushed to the “final frontiers” of penal abolition, international state relations, and international law.¹¹

Ruth Morris, also 2000 recipient of the Ron Wiebe Restorative Justice Award,¹² coined that

Besides many books, articles, etc., Ruth also wrote courageously about her illness in her final book: *Transcending Trauma*. (<https://search.worldcat.org/title/57430676?oclcNum=57430676>, accessed August 19, 2024.)

⁷ Awarded on May 30, 2001; invested on: July 30, 2001. The honour states:

She is a model for those who seek to serve others. A longtime advocate for justice reform, at the request of the Ontario government, she founded a groundbreaking program which made it possible for many to receive bail who would not have previously qualified. She also founded Toronto’s first bail residence, as well as a halfway house for ex-offenders. Generous with her time and resources, she used her caring and dynamism to launch many other innovations in Toronto. These include a community project aimed at improving banking services for disadvantaged citizens, a drop-in centre for street people and a multicultural, multilingual conflict resolution service.

⁸ See: <https://www.sfu.ca/crj/about/liz-elliott.html>, accessed August 19, 2024. I have included her and Ruth in previous book dedications of this series.

⁹ See much about the Colloquium on Violence & Religion here: <https://violenceandreligion.com/>, accessed August 19, 2024.

¹⁰ See: Northey, *Justice: Volume 1*. See as well: <https://waynenorthey.com/2014/02/26/not-enough-and-international-restorative-justice/>, accessed August 19, 2024.

¹¹ Please see also my subsequently written/presented: “*Is There A Place For Dreaming?: Restorative Justice and International State Conflict*,” *Justice That Transforms: Volume 1*; and here:

(<https://waynenorthey.com/2014/03/10/is-there-a-place-for-dreaming/>, accessed August 19, 2024).

¹² The “Ron Wiebe Restorative Justice Award” (1998 to 2018) was given annually to honour a Canadian individual who had made a significant contribution to advancing restorative justice.

There is an historical note about Ron here: “Ron Wiebe: Visionary Prison Warden,” (<https://mbhistory.org/profiles/wiebe-r/>), accessed August 19, 2024.

There is also an interesting historical anecdote:

I first knew of Ron Wiebe (who was Mennonite) when, in 1990, I was heading the Restorative Justice program for Mennonite Central Committee Canada (MCCC), and he was a Warden at Ferndale Institution, Mission, British Columbia.

I had issued a church bulletin insert for MCCC’s 600 or so Mennonite churches across Canada, titled: “The Canadian Penitentiary: A Failed Experiment” I learned almost immediately that Ron was not amused. So, I phoned him, and we met at his office for a cordial discussion. We obviously disagreed.

When I visited him again a few years later on another matter, I asked him about our “conflict.” He said he had let it go.

We learned at his funeral service in 1999 (an untimely death from cancer), that he had requested donations to be given in lieu of flowers to M2/W2 — the prison visitation/restorative justice program I had become Director of in 1998. That was lovely, and spoke to our good relationship.

Even more: his father, rightly proud of Ron, visited me many times in my office subsequently, to pass on clippings about the various honours his son had received *post-mortem*.

I received a lovely plaque, acknowledging pioneering contributions, the first year of the Award: the ceremony was held at Ferndale Institution, Mission, British Columbia, where Ron had been Warden.

Justice That Transforms: Restorative Justice — “Not Enough!”

acerbic response to Restorative Justice as it emerged in North America during the 1990s — “Not Enough!”¹³ — and now part of this book’s subtitle. Though hers was ever expressed with verve and yearning!

Her subsequent voluminous research/writings/presentations in particular took her to comparisons between white collar and street crime; being a spokesperson for the voiceless street people; challenges to the “criminal corporate elite”;¹⁴ solicitations to faith communities to speak out on social betterment issues; prison overcrowding; the dangerous few; founding social justice initiatives, etc.; and yes, founding international leadership in penal abolition. To learn so much more, please do visit her *Wikipedia* page, link to which is in Footnote 6.

She organized the first International Conference on Prison Abolition (ICOPA)¹⁵ in Toronto in 1983, one I was privileged to have attended — and several others. She played a leading role in subsequent Conferences until her death in 2001; and received that same year as mentioned, Canada’s highest honour: *The Order of Canada*.

She sadly died before the era of revelations about the massive criminality of Western Corporations, of which the Enron Corporation became representative;¹⁶ the movies *The Corporation* (2003), and *The New Corporation* (2020);¹⁷ the international War on Terror;¹⁸ and much more that would substantiate her ground-breaking concerns.

The noted academic, Jean Bethke Elshtain¹⁹ said of Restorative Justice:

The value of this approach in dealing with not just one state’s internal efforts to build constitutional order but with relations between states is untested; political Restorative Justice seems likely, however, to fall prey to the classic dilemmas of international politics.²⁰

Elshtain thereby reverted to *Realpolitik*²¹ and showed no further interest in “testing” international Restorative Justice.²²

Zehr in turn showed no interest in ICOPA — or COV&R.

Restorative Justice still has its definitive contribution to make in international politics and penal

¹³ See in particular her article: Morris, “Not Enough!”; and her books: *Penal Abolition: The Practical Choice*; and (co-edited with W. Gordon West) *The Case for Penal Abolition*.

Besides many books, articles, etc., Ruth also wrote courageously about her illness in her final book: *Transcending Trauma*.

¹⁴ See: Morris, *Penalty and Corporate Rule*.

¹⁵ See: <https://justiceaction.org.au/icopa/>, accessed August 19, 2024. See also a history written by Ruth: <https://waynenorthey.com/wp-content/uploads/2024/08/ICOPA-History.pdf>, accessed August 19, 2024.

¹⁶ See: <https://en.wikipedia.org/wiki/Enron>, accessed August 19, 2024.

¹⁷ See: [https://en.wikipedia.org/wiki/The_Corporation_\(2003_film\)](https://en.wikipedia.org/wiki/The_Corporation_(2003_film)), accessed August 19, 2024.

¹⁸ See: https://en.wikipedia.org/wiki/War_on_terror, accessed August 19, 2024.

¹⁹ See: https://en.wikipedia.org/wiki/Jean_Bethke_Elshtain, accessed August 19, 2024.

²⁰ Elshtain, *Just War*; emphasis added. See also on this, my post: “**A FIRE STRONG ENOUGH TO CONSUME THE HOUSE**”: 03-07-2020 (<https://waynenorthey.com/2020/03/07/a-fire-strong-enough-to-consume-the-house-the-wars-of-religion-and-the-rise-of-the-state/>).

²¹ See: <https://en.wikipedia.org/wiki/Realpolitik>, accessed August 19, 2024.

²² I suggested this take too is “not enough” in my “Book Review of: *Just War Against Terror*,” (<https://waynenorthey.com/book-review/book-review-of-just-war-against-terror-the-burden-of-american-power-in-a-violent-world/>, accessed August 19, 2024) 2004.

On this, I have for years been on the Board of (for profit/nonprofit) “Smartsettle: Beyond Win-Win.” (See: <https://www.smartsettle.com/>.) It is actively pursuing this very thing. Please click on “Peace Treaties” (see: <https://www.smartsettleresolutions.com/post/negotiating-peace-in-ukraine>.) to learn more. Through the use of brilliant patented algorithms, Smartsettle (the world’s only secure eNegotiation system), maximizes any kind of negotiation, with any number of players.

Justice That Transforms: Restorative Justice — “Not Enough!”

abolition. I believe it can lead to the redefinition of *Realpolitik* from “same-old, same-old” ways of brutal Empire and war to a new yet ancient spirituality/praxis/*Realpolitik* of realizable international peacemaking, and radical transformation of the prison industrial complex.²³

*It is also the time to radically transform punitive/retributive criminal justice systems that operate worldwide, and are deeply addicted to violence! Addicts of all kinds — including nation-states — generally cannot “reform”: they must practise abstinence! So too with retributive criminal justice systems.*²⁴

Further, in an introduction to my Restorative Justice page,²⁵ I write (edited):

Howard Zehr at times directly critiqued this author’s writings by telling me *one does not attract bees with vinegar*. . . My longstanding commentary on the “bees” comment has been in accord with Ruth Morris’ *watchword response* to “Restorative Justice”: “*Not Enough!*”²⁶ Zehr’s vision was barely in line with Ruth’s: hers was far more trenchant, grander — *and controversial!*²⁷

Zehr’s was/is simply, by contrast, tame — a kind of bourgeois alternative to punitive justice — okay, as far as it went/goes. . .

Ruth would say that a Restorative Justice out *mainly* to attract “bees” and *primarily* with honey — all sweetness and light — creates *too readily* a “B”-Grade Restorative Justice, one better than retributive justice to be sure, but seriously lacking in rigorous, fulsome challenge to what Catholic Worker²⁸ founder Dorothy Day²⁹ dubbed — as widely understood — “*the filthy, rotten system,*”³⁰ of which Western criminal justice has always been a key component.

Western systems of justice³¹ have ever been infected with brutal Empire/colonization and

²³ What Christians pray for universally in invocation of the *Pater Noster* (see: “Lord’s Prayer,” https://en.wikipedia.org/wiki/Lord's_Prayer, accessed August 19, 2024) where . . .

They will neither harm nor destroy on all my holy mountain . . . (Isaiah 65:25).”

See too Northey, “The Two Greatest Commandments.”

The classic text on such a “complex” is Christie: *Crime Control as Industry*.

See also Van Der Maat, *Ancient Practices*.

²⁴ See on this Vivien Stern’s, *A Sin Against the Future: Imprisonment in the World*. There is much more of course in all my books of the *Justice That Transforms* series, including this at hand.

²⁵ See: <https://waynenorthey.com/justice/>, accessed August 19, 2024.

²⁶ See the essay by that title, and in *Justice That Transforms: Volume 1* (<https://waynenorthey.com/2014/02/26/not-enough-and-international-restorative-justice/>, accessed August 19, 2024).

²⁷ Ruth also encouraged me in my writings. They are contained, so far, in my *Justice That Transforms: Volumes 1 – 4, series*. See them also on my website. <https://waynenorthey.com/justice/justice-that-transforms/>, accessed August 19, 2024.

Thanks so much to Ruth Morris and Dave Worth for the prodding/inspiration to publish these — long since, mostly here and there — but now republished in a series of books.

²⁸ See: https://en.wikipedia.org/wiki/Catholic_Worker, accessed August 19, 2024.

²⁹ See: https://en.wikipedia.org/wiki/Dorothy_Day, accessed August 19, 2024.

³⁰ Day may not have actually said this, but did write in a column in 1956:

We need to change the system. We need to overthrow, not the government, as the authorities are always accusing the Communists of conspiring to teach to do, but this rotten, decadent, putrid industrial capitalist system which breeds such suffering in the whited sepulcher of [for instance] New York. (See: “Dorothy Day’s ‘filthy, rotten system’ likely wasn’t hers at all,”:

<https://www.ncronline.org/news/people/dorothy-days-filthy-rotten-system-likely-wasnt-hers-all>, accessed August 19, 2024.)

³¹ And sadly, the new “penitentiary” system was exported/copied and proliferated worldwide; beginning in 1790/1795 with the repurposed Walnut Street Jail (Philadelphia, Pennsylvania, from 1790 to 1838.) — see:

Justice That Transforms: Restorative Justice — “Not Enough!”

control/pacification motifs. In my retirement years, I have devoted a website³² to *the Gospel as Counter-Narrative to Empire — the **Ultimate Filthy, Rotten System!*** There is much on the site in support of such a thesis.

One should not therefore be so much out trying to attract “B(-Grade)”s: one should instead be creatively challenging the very “WASPS” who run brutal justice systems . . . to, as it were, *repent, apologize,³³ make amends, and “sin” no more!*

“WASP” is of course an acronym for the “*White, Anglo-Saxon, Protestant*” Establishment — historically the very originators and guardians of such stingingly harmful systems throughout the (colonized) world. (*Not that all working within such systems are necessarily directly contributing to their evil — though ineluctably tainted.*)

One generally does not describe the horror of murder in gentle, sweet tones. One cannot describe the devastating crime of punishment in such either. Jesus called the fundamentalists of his time — the Pharisees — whitewashed tombs full of dead men’s bones. Imprisonment, where whitewashed terms such as “correctional institutions,” “corrections officers,” “cells,” “inmates,” “residents,” and the like betray society’s hypocrisy about what is reality behind those walls, so full of as-good-as-dead men and women. . . .

What is needed, Amos (5:24),³⁴ Dorothy Day, Ruth Morris, Martin Luther King, Jr.,³⁵ and a host of prophetic voices thunderously call for, is vigorously radical *transformation* of that *filthy, rotten system!*

Zehr’s approach to Restorative Justice by contrast was also largely individualized, *not* anti-punitive-system-structure-focussed, and lacked the intellectual and outspoken rigor the best of the Judeo-Christian (and beyond — think Mahatma Gandhi³⁶) prophetic traditions exhibit. What is wanted is, for starters, a “. . . *who-can-but-prophecy?!³⁷*” — Amos’ measured diatribe against *The System*, such as captured brilliantly in Canadian singer Bruce Cockburn’s line:

*Gotta kick at the darkness ‘til it bleeds daylight.*³⁸

Conclusion

Some of the above fervour is reflected in a chapter of this book, :

“Restorative Justice: *Peacemaking Not Warmaking*; Transformative Justice: *Penal Abolitionism Not Prison Reform.*”³⁹

Ruth Morris’ commitment was ever to: “*Transformative Justice.*” She never used the term “Restorative Justice,” except to critique its inadequacy. This book series was named to honour and

https://search.brave.com/search?q=Walnut+Street+Jail&source=desktop&summary=1&summary_og=4805ea42cbab9e0aace1a3, accessed August 19, 2024.

³² See: <https://waynenorthey.com/>, accessed August 19, 2024.

³³ Please see Northey, “Call For a Church Apology (<https://waynenorthey.com/2015/03/12/call-for-a-church-apology-vis-a-vis-crime-and-punishment-2/>), accessed August 19, 2024).”

³⁴ *But let justice roll on like a river, righteousness like a never-failing stream!*

³⁵ https://en.wikipedia.org/wiki/Martin_Luther_King_Jr, accessed August 19, 2024.

³⁶ https://en.wikipedia.org/wiki/Mahatma_Gandhi, accessed August 19, 2024.

³⁷ *The lion hath roared who will not fear? the Lord GOD hath spoken, who can but prophesy?* (Amos 3:8)

³⁸ See: Bruce Cockburn’s (<https://brucecockburn.com>, accessed August 19, 2024) “*Lovers in a Dangerous Time*” (https://en.wikipedia.org/wiki/Lovers_in_a_Dangerous_Time, accessed August 19, 2024).

³⁹ You may also click on it here: <https://waynenorthey.com/2021/03/26/restorative-justice-peacemaking-not-warmaking-transformative-justice-penal-abolitionism-not-prison-reform/>, accessed August 19, 2024).” And it was published as: “Restorative Justice: *Peacemaking Not Warmaking*; Transformative Justice: *Penal Abolition Not Prison Reform*, “*The Kenarchy Journal* (<https://kenarchy.org/>), **Volume 2** (<https://waynenorthey.com/2021/03/15/the-kenarchy-journal/>, accessed August 19, 2024).

Justice That Transforms: Restorative Justice — “Not Enough!”

commend (however incompetently!) that longstanding striving for a “*Justice That Transforms.*”

If in fact the difference between a pirate and an emperor/President/Prime Minister, etc.,⁴⁰ is simply function of degree of power wielded; if in fact “This is my Father’s world”⁴¹; if there is one ethic, not two in God’s universe (there is no hint of a schizophrenic morality of *the private personal versus the public communal, in God*), then there is every reason to work towards a goal that international relationships conform with the incredible vision of Restorative/Transformative Justice and God’s *Peaceable Kingdom*,⁴² when:

*The wolf will live with the lamb, the leopard will lie down with the goat, the calf and the lion and the yearling together; and a little child will lead them.*⁴³

Amen!

References

Acton, John Emerich Edward Dalberg, Lord. “Acton-Creighton Correspondence,” 1906. (<https://oll.libertyfund.org/titles/acton-acton-creighton-correspondence>, accessed August 19, 2024.)

Augustine of Hippo. *Concerning the City of God Against the Pagans*, trans. Henry Bettenson, IV, 4, New York: Penguin Books, 1984.

⁴⁰ See: **Lord Acton’s Maxim: Power Tends to Corrupt and Absolute Power Corrupts Absolutely:**

Does it not show once again, that 19th-century British historian **Lord Acton**’s observation rings invariably true? He writes:

I cannot accept your canon that we are to judge Pope and King unlike other men with a favourable presumption that they did no wrong. If there is any presumption it is the other way against holders of power, increasing as the power increases. Historic responsibility has to make up for the want of legal responsibility.

Power tends to corrupt and absolute power corrupts absolutely. Great men are almost always bad men, even when they exercise influence and not authority: still more when you superadd the tendency or the certainty of corruption by authority.

There is no worse heresy than that the office sanctifies the holder of it. That is the point at which the negation of Catholicism and the negation of Liberalism meet and keep high festival, and the end learns to justify the means. (Emphasis added; “Lord Acton writes to Anglican Bishop Creighton that the same moral standards should be applied to all men, political and religious leaders included, especially since ‘*Power tends to corrupt and absolute power corrupts absolutely.*’ (1887)”); Acton, “Acton-Creighton Correspondence.”

See too Noam Chomsky’s (https://en.wikipedia.org/wiki/Noam_Chomsky) *Pirates and Emperors, Old and New: International Terrorism in the Real World*. He draws on this story by Saint Augustine:

The king asked the fellow, “What is your idea, in infesting the sea?” And the pirate answered, with uninhibited insolence, “the same as yours, in infesting the earth! But because I do it with a tiny craft, I’m called a pirate: because you have a mighty navy, you’re called an emperor[/Prime Minister/President].” (Augustine, *City of God*, 139).”

⁴¹ A poem, later hymn, by American Pastor Maltbie Babcock:

(https://hymnary.org/text/this_is_my_fathers_world_and_to_my).

⁴² Edward Hicks (April 4, 1780 – August 23, 1849) was an American folk painter and distinguished religious minister of the Society of Friends (aka “Quakers”). He painted over 60 scenes of “*The Peaceable Kingdom!* *Well worth viewing!*” (Wikipedia – https://en.wikipedia.org/wiki/Edward_Hicks, accessed August 19, 2024)

⁴³ Isaiah 11:6.

Justice That Transforms: Restorative Justice — "Not Enough!"

Chomsky, Noam. *Pirates and Emperors, Old and New: International Terrorism in the Real World*, Toronto: Between the Lines, 2016.

Christie, Nils. *Crime Control as Industry: Towards Gulags, Western Style*, London: Routledge, 1995/2016.

Elshtain, Jean Bethke. *Just War Against Terror: The Burden of American Power in a Violent World*, New York: Basic Books, 2003.

Morris, Ruth. "Not Enough!," *Mediation Quarterly*, Volume 12, Issue 3., Guest Editor, Harry Mika, Ph.D. San Francisco: Jossey-Bass Publishers, 285 – 291; March 1995. (See: https://journals.scholarsportal.info/search?q=%22Not+Enough%21%22+&search_in=TITLE&op=AND&q=Mediation+Quarterly&search_in=JOURNAL&op=AND&q=&search_in=anywhere&date_from=&date_to=1995&sort=relevance&sub=Law%3B, accessed August 19, 2024.

_____. *Penal Abolition The Practical Choice: A Practical Manual on Penal Abolition*. Toronto: Canadian Scholars' Press Inc.

_____, and W. Gordon West, Editors. *The Case for Penal Abolition*, Toronto: Canadian Scholars' Press Inc., 2000.

_____, and Giselle Dias, Editors. *Penalty and Corporate Rule*, Toronto: Canadian Scholars' Press Inc., 2000.

_____. *Transcending Trauma*, Embrun, Ontario: Winding Trail Press, 2004.

Northey, Wayne. "Book Review of: *Just War Against Terror: The Burden of American Power in a Violent World* (<https://waynenorthey.com/book-review/book-review-of-just-war-against-terror-the-burden-of-american-power-in-a-violent-world/>, accessed August 19, 2024)," 2004.

_____. "The Two Greatest Commandments and Prison Ministry": <https://www.clarion-journal.com/.services/blog/6a00d834890c3553ef00d834890c3a53ef/search?filter.q=northey> (accessed August 19, 2024), 2010.

Stern, Vivien. *A Sin Against the Future: Imprisonment in the World*, London: Northeastern University Press, 1998.