

RETHINKING RESTORATIVE JUSTICE: WHEN THE GEOGRAPHIES OF CRIME AND OF HEALING JUSTICE MATTER

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This article identifies the geography and logic of crime. Based on the author's ongoing international research into healing justice from the perspective of three communities that practice such a justice, the article then contrasts the geography and logic of healing justice with the geography and logic of crime. It then argues that restorative justice falls between these two geographies. Despite the rhetoric that restorative justice is an alternative to the criminal justice system, this article demonstrates that restorative justice does not sufficiently challenge the underlying logic and geography of crime. The field of restorative justice would benefit from listening more closely to the geography and logic of healing justice found in various traditional communities.

INTRODUCTION

We begin with a detour called “understanding the nature of geography.” Ellen Semple, an American geographer, said in 1911 that geography was the study of how environment controls human behaviour.¹ Of course, taking environmental determinism to an extreme can justify the violence of colonial empire-building by claiming that without foreign “saving,” certain groups of people would simply be controlled by primitive environmental conditions. But Semple was highlighting a central insight of geography: particular environmental conditions lead to particular human behaviour. To put it differently, particular geographies lead to particular kinds of logic or ways of being in the world. Therefore, if one could understand the environmental conditions—the rise and fall of the land, the climate, the soil typology and vegetation—one might better understand human behaviour. End of Detour.

In this paper, I argue that the Western criminal justice system represents a particular kind of geography, complete with its own logic. This “geography of crime” covers a particular territory, has particular “environmental conditions,” and supports the growth of particular kinds of “vegetation” while actively discouraging the growth of others. In other words, it supports a distinct set of actors—lawmakers,