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The role of wounded healing in restorative justice: An Appreciation of Albert Eglash

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I am deeply honoured to have been asked to launch such an important and exciting new journal as *Restorative Justice* with this inaugural address. Such new beginnings are a cause for celebration, for congratulation, and for taking stock of just how far restorative justice has come as a theory and a practice internationally in a relatively short history. Three decades ago, no one had even heard of the term 'restorative justice' and today we have conferences, books, networks and now the journal *Restorative Justice*. This address is at least partially a reflection on this remarkable history. In particular, I want to develop a largely forgotten argument originally made by one of the earliest thinkers in restorative justice, Albert Eglash.

Eglash's name, if it is known at all, is known primarily because he is credited, in Van Ness and Strong's classic 1997 text *Restoring justice* and elsewhere, with inventing the term 'restorative justice' in a series of articles in the 1950s (see Eglash, 1957, 1958b, 1959). Although these initial discussions received little attention, a later Eglash contribution to Hudson and Galaway's (1977) *Restitution in criminal justice* had an early and important influence on a young Howard Zehr (as uncovered in Ann Skelton in her history of restorative justice, Skelton, 2005). As a result, Albert Eglash's name has become the answer to a multiple-choice question on countless undergraduate criminology examinations. However, his actual writings, even the essays in which he first used the term 'restorative justice', are much less well known. According to the Google Scholar search engine, not one of Eglash's articles or chapters has been cited over 100 times, and indeed most have fewer than 15 citations a piece. (By contrast, Zehr's

¹ The author would like to thank Brendan Marsh for his assistance in the preparation of this article.

transformational book *Changing lenses* has been cited over 1,200 times according to the same database.)

With this inaugural address, I hope I can encourage a ‘second look’ at some of Eglash’s writings. The basis for my case, incidentally, has little to do with Eglash’s role in the origins of restorative justice. Personally, I am not all that concerned about whether Eglash was or was not the first to use the term ‘restorative justice’. Origin myths can be dangerous and there is good reason to avoid the elevation of ‘founding fathers’, especially as they always seem to be of the great, white male variety (see Omale, 2006 for the argument that some academic accounts of the history of restorative justice have obscured the African roots of these ideas). As many restorative justice advocates are aware, the ideas and principles at the foundation of contemporary restorative justice have their roots in ancient societies, numerous world religions, and the traditional practices of native or indigenous cultures across the world (see Braithwaite, 1999; Hadley, 2001; Weitekamp & Kerner, 2002). In fact, even Eglash himself does not make any pretence in his own writing to inventing the term. He too acknowledges borrowing the concept and gives a full citation in his 1958 article to a German book by the theologians Schrey, Walz and Whitehouse (1955). Interestingly, though, the term ‘restorative justice’ does not appear in the book itself, which was written in German, but in an English ‘interpretation’ of the book written by a Rev. Whitehouse. The actual term that Schrey and colleagues used in their German text was ‘heilende Gerechtigkeit’ (which is more properly translated as ‘healing justice’). So, in a sense, the coinage of ‘restorative justice’ is almost accidental and certainly secondary to the case I want to make in this address.

My case, instead, is a substantive one. With a few notable exceptions (Daly, 2012; Mirsky, 2003; Weitekamp, 1999), Eglash’s contributions have been both neglected and possibly misunderstood in contemporary debates on restorative justice, and the time may be right, precisely because of the successful growth of restorative justice as a concept and practice, to revisit some of the ideas he raised half a century ago. There are a few potential explanations as to why Eglash’s contributions have been overlooked. First, there is possibly a disciplinary issue. Eglash is often referred to in the restorative justice literature as a ‘psychologist’, even though his publications are nothing like those of mainstream research psychology (although they do resemble those of another great psychological essayist of the era, Hans Toch). To many sociologists and criminologists, such a designation may be reason alone to ignore a body of work (I speak here as someone who has himself been the recipient of the dreaded label of

‘psychologist’ so I know of what I speak). Second, Eglash was neither a prolific nor a particularly eloquent theoretician. Although highly creative and (I think) persuasive, his writing is full of anecdotes and rather light on scholarship (Eglash, 1959 is something of an exception to both of these charges). Like Toch, Eglash was interested in generating ideas with impact on practice on the ground, and in that regard the history of restorative justice over the past three decades is a rather stunning testament to the value of the anecdote in the development of practice.

Yet, the real reason Eglash’s research has been neglected has to do with a more substantive issue, identified by Daly (2012) and others. At the very end of his most widely known and recent contribution, the 1977 article that inspired Zehr and who knows how many others in restorative justice work, Eglash does an unusual about-face. After spending the entire essay setting up a classic ‘third way’ argument for the potential of restorative justice as an alternative to either punishment or rehabilitation models, Eglash decides that his vision of restorative justice—like those other two visions of justice—remains offender-centred and could not be considered to be genuinely victim-centred:

I now want to admit that I too am offender oriented ... I have never visited any victims, never interviewed any, never wondered what questions I would want to ask, never thought to include any victim interviews ... in this paper. For me, restorative justice ... like its two alternatives, punishment and treatment, is concerned primarily with offenders. Any benefit to victims is a bonus, gravy, but not the meat and potatoes of the process. (Eglash, 1977: 99)

Such an unusually blunt confession simply does not correspond well with contemporary thinking around restorative justice, and indeed has not been borne out in the empirical evidence either. As Robinson and Shapland (2008) have argued, the research evidence is rather more convincing in terms of the benefits of restorative justice for victim satisfaction than it is as an offender rehabilitation strategy. Worse, Eglash is true to his word. Almost all of his essays from the 1950s are oriented around the reintegration of the offender and not supporting victims. As such, Daly’s (2012) argument that, although Eglash planted a seed, he never fully realised the full potential of restorative justice for transforming practice, is understandable. Even

Eglash, reflecting back on his work from the vantage point of 2003, recognised that the contemporary restorative justice movement has ‘moved my concept in a very constructive direction, far beyond what I had conceived’ (Mirsky, 2003: 1).

However, I want to argue that there is merit in returning, at least for the sake of argument, to Eglash’s original conception, as some of his vision has been lost in contemporary restorative justice thinking and, in particular, implementation. Not only was Eglash ‘ahead of his time’ in terms of theory—with many of the ideas that he articulated in the 1950s and 1960s increasing in popularity in the last decade—but there is actually a growing empirical case around some of the claims Eglash was making as well. My argument is that by reclaiming Eglash for restorative justice, we could, as a movement, take credit or partner with some of the most interesting developments in criminal justice today.

Re-introducing Albert Eglash

Biographical information about Albert Eglash’s background can be found in Mirsky (2003), Zieger (2003), and in some of his published articles (see e.g. Eglash, 1958a, 1958c). Eglash taught at Wisconsin State College at LaCross, but he clearly devoted an equal amount of time to community pursuits as he did to academic ones. In the 1950s, he got involved with something called the Mayor’s Rehabilitation Committee on Skid Row Problems in Detroit, as well as something called The Commission on Children and Youth. Through these activities, he says, he became impressed with the 12-step principles of Alcoholics Anonymous (AA) (see Kurtz, 1979), and this exposure helped him become a pioneer in the use of group therapy dynamics in the practice of probation and community corrections.

Today, the vast majority of probation work is done in groups, for purposes of efficiency and economy of scale at the very least. However, at the time Eglash was working, probation work was based almost entirely on a one-to-one casework model (Vanstone, 2004). Eglash developed a number of programmes for those in trouble with the law based on 12-step principles. The first was a group for adolescents convicted for delinquency that became known as ‘Youth Anonymous’ (Eglash, 1958c). This was followed by a mutual aid group for adult probationers that became known as ‘Adults Anonymous’ (Eglash, 1958a). These groups were based on both the narrative testimonial work for which AA is famous (‘My name is X, and I am an alcoholic ...’) as well as the core helping principle that is at the heart of the 12-step

model: that each member stays sober by helping others in the group stay sober (O'Reilly, 1997). The application of these ideas to people convicted of crimes was, at the time, hugely innovative and very much ahead of its time. Indeed, Eglash's work was a *subject* of criminological research before Eglash was writing his own articles. Chester Poremba was writing about Eglash's innovations in 'group probation' in the journal *Federal Probation* back in 1955.

Importantly, it was through this 12-step based group work that Eglash first describes the idea of what he calls 'restorative justice' and, synonymously, 'creative restitution'. In a series of articles (Eglash, 1958b, 1959, 1977), he contrasts this new idea of creative restitution with ordinary notions of restitution which he characterises as follows:

- a) It is a financial obligation
- b) Its extent is limited
- c) It is court-determined
- d) It is an individual act.

On the other hand, according to Eglash's formulation, *creative* or restorative restitution could be differentiated by the following characteristics:

1. It is any constructive act

Eglash (1957: 619) writes: 'While punishment must be painful or uncomfortable, it need not be a constructive contribution. The essence of restitution, on the other hand, is a constructive effort, an offender giving something of himself.' Eglash notes that restorative acts have a 'poetic justice' about them; they should produce visible 'good' with tangible beneficiaries in the same way that one's crimes involve clear harms with real victims.

2. It is creative and unlimited

Eglash (1957: 620) describes justice as 'the first mile', whereas restorative justice, he argues, is explicitly about 'going the second mile':

The first mile is punishment, or reparations or indemnity or atonement. But the offender has not yet squared or redeemed the situation, making it good. Only a second mile is restitution in its broad meaning of a complete restoration of good will and harmony.

The primary example Eglash gives of this second mile is for individuals who have done something wrong to help turn around others at risk of ending up in prison themselves.

3. It is guided, self-determined behaviour

Eglash (1957: 620) writes: ‘In punishment, a judge makes a decision and this decision is imposed on an offender ... If the same technique is used in restitution, then restitution is no longer a creative act. Some of its growth value is lost.’

4. It can have a group basis

Eglash (1957: 621) writes: ‘In punishment, a man stands alone. But restitution is a creative act, and the way is open for group discussion.’

This is a fairly simple formula, but the implications are of course immense²—especially since most of the ideas above have now been thoroughly integrated into mainstream restorative justice thinking. Eglash, for instance, was far ahead of his time with regard to his insights into criminology’s great intellectual struggle, the bedevilling issue of agency versus social determination:

² In fact, most recently, in his 2003 interview with Mirsky, Eglash described his interests in applying these principles to the resolution of armed conflict—a move from the criminological conflict resolution to macro-level peace-making that has been followed by many a restorative justice advocate from Braithwaite (2011) to McEvoy (2003).

Both punishment and treatment ... are committed to a specific position regarding ‘free will’ versus ‘psychological determinism’ ... For example, jurists and theologians ... are likely to agree that we are responsible for our behaviour, and as a consequence, we should be punished ... for our wilful disobedience ... Similarly, behavioural and clinical scientists ... are likely to agree that our developmental history and our metabolic and neurological condition ... were determinants of that offence and that ... we should not be punished, but helped. (Eglash, 1977: 92)

Eglash says that as a third way, restorative justice can solve this problem by separating the issue of blame for the past from responsibility for the future:

A restorative approach of creative restitution accepts *both* free will and psychological determinism. It redefines past responsibility in terms of damage or harm done, and can therefore accept psychological determinism for our past behaviour without destroying the concept of our being responsible for what we have done. Similarly, it redefines present responsibility in terms of our ability or capacity for constructive remedial action and can therefore accept free will for our present. (1977: 92)

In other words, years before the highly influential work of Braithwaite and Braithwaite (2001) or the legal philosophers Nicola Lacey and Hannah Pickard (2013), Eglash was advocating a sophisticated, restorative vision for separating blame for past harms from responsibility for ‘making good’ in the future. In what I have called a ‘compensatory script’ (Maruna, 2001, following Brickman et al., 1981), Eglash basically argues that ‘You may not be responsible for being down, but you are responsible for getting up’ (1977: 92). In this argument, one can clearly see the beginnings of what Lacey and Pickard (2013) are describing as ‘responsibility without blame’—a transformative idea that has broken new ground in philosophy, and the origins can be traced back to Eglash’s humble essay.

Restorative justice’s debt to Alcoholics Anonymous

Where did Eglash get this deep, rich insight in 1955? Here Eglash is very clear: he borrowed it from Alcoholics Anonymous:³

For instance, in AA, alcoholics insist, ‘I’m not responsible for my past behaviour, much of its most destructive moments occurring in blackout when I was certainly far from sane. Still, I accept present responsibility to make amends to those I inadvertently hurt, and to help other victims of alcoholism’. (Eglash, 1977: 92)

Indeed, Eglash is explicit in almost all of his writings regarding the debt his conception of restorative justice owes to the 12-step model of Alcoholics Anonymous. In particular, he links his idea of creative restitution to Steps 8 and 9 about making an inventory of the people one has harmed and making amends to them, and Step 10 about confessing to one’s mistakes.

This aspect of restorative justice’s origin story is rarely acknowledged or explored, yet the potential for better understanding the dynamics of restorative practice is immense. First, anyone involved in criminal justice work of any kind recognises quickly that there is an enormous overlap between the social study of what we call ‘addiction’ and ‘substance abuse’ and the world we call ‘crime’ and ‘offending’. Certainly, there are those who offend who have never used addictive substances seriously, and there are those who regularly use addictive substances seriously who never seriously offend. However, for the most part at least when we are talking about habitual, repeat offending (the kind of offending that is of most interest to the criminal justice system), there is no distinction between this imaginary person we call ‘the addict’ and the equally imaginary (and offensive) notion of ‘the offender’. If a justice policy aims to be ‘restorative’ in some way in the lives of such individuals, it presumably needs to be aware of both the science of addiction and the process of recovery.

Second, the 12-step literature has grown dramatically since the 1950s when Eglash borrowed his ideas for creative restitution. Restorative justice theory development would benefit enormously from the remarkable philosophical and psychological contributions by Kurtz

³ Interestingly, Lacey and Pickard (2013) are also clear that they have adopted their philosophical concept of ‘responsibility without blame’ from the field of addiction and mental health treatment and recovery, where Pickard was a practitioner as well (see e.g. Pickard & Pearce, 2013).

(1979), Vaillant (2005), McCrady & Miller (1993), Denzin (1987), Bateson (1971), and especially William L. White (1998, 2000, 2007), not to mention the deep intellectual foundations of Alcoholics Anonymous in the work of Carl Jung⁴ (see Jung, 1976) and William James (1902). This theoretical and research base is thick precisely where the restorative justice evidence base is thin: around the process and understanding of personal transformation and redemption.

A parallel case has recently been developed by Victoria Pynchon (2005) in a fascinating analysis in the *Pepperdine Law Review*. Although Pynchon does not mention Eglash or his connections to both schools of thought, she also argues that restorative justice has much to learn from the Alcoholics Anonymous model. Although restorative justice has struggled with the issue of shame, seeking to strike the correct balance of reintegrative shaming, but finding that conferencing can become its own form of stigmatising, she writes:

There is, however, a solution with proven effectiveness. For the past sixty years, the program of Alcoholics Anonymous has been achieving moral education and community reconciliation using the ‘right’ kind of shame—which in this author’s opinion means no shame at all. (2005: 11)

Even Thomas Scheff (1997), who has contributed so much to restorative thought with his microsociological theory of emotions, has argued that Alcoholics Anonymous is ‘the one institution in our society that recognizes shame’ (see also Kurtz, 1981).

Perhaps the most important idea that Eglash developed from Alcoholics Anonymous, and which requires further consideration in contemporary restorative justice thought, is the idea first developed in Jung’s ‘Fundamental Questions of Psychotherapy’ of the ‘wounded healer’ (see especially Frank, 1995).

⁴ These roots are very subtly hinted at by Eglash. In various articles, he channels Melanie Klein with his nods to analysts’ use of ‘loss and restitution’, mentions of the book *I Never Promised You a Rose Garden*, and occasional references to psychoanalytic theory and the power of ritual dynamics in the change process (see especially Eglash, 1959).

Without too much exaggeration ... a good half of every treatment that probes at all, deeply consists in the doctor examining himself, for only what he can put right in himself can he hope to put right in the patient ... it is his own hurt that gives the measure of his power to heal. This, and nothing else, is the meaning of the Greek myth of the 'wounded physician'. (Jung, 1951: 116)

In their 12-step model, Alcoholics Anonymous employs this insight by arguing that no one is better placed to help a person recover than a recovering person, and also nothing helps a recovering person recover more than helping others with their recovery (O'Reilly, 1997). These 'wounded healers' have been at the heart of the success of 12-step recovery from its origins (White, 2000).

Likewise, Eglash openly acknowledges the contributions of a wounded healer friend of his named 'Tip', a Detroit gang member who discovered AA during a ten-year stretch in prison, in helping him develop his ideas around restorative justice. Eglash writes:

Our greatest resource, largely untouched, to aid in the rehabilitation of offenders is other offenders. Just how this resource is to be effectively tapped as a constructive power is a matter for exploration. Perhaps Alcoholics Anonymous provides some clues. (Eglash, 1958–1959a: 239).

Eglash explains this value by arguing, 'Perhaps an offender is an effective person for getting through the defences and resistances of another offender' (Eglash, 1958: 238). He cites Folsom Prison's Associate Warden Bill Lawson as explaining the reason he too utilises parolee 'wounded healers' in correctional work: 'The parolees tell the men the same things we've been telling them for months. But the difference is that the inmates listen' (Eglash, 1958: 237).

Eglash acknowledges that the benefits of wounded healing go 'both ways', however, and indeed might be even more important for the helper than the help-recipient. 'A mutual-help principle effectively leads troubled persons on the road from stigma (to be set apart, as marked or branded) to dedication (to be set apart, for special service).' Indeed, rigorous studies of

mutual-help groups, 40 years hence, have found that engaging in helping activities is related to better psychosocial adjustment and treatment outcomes (Crape et al., 2002; Roberts et al., 1999; Zemore et al., 2004), and higher self-esteem and feelings of self-worth (Hutchinson et al., 2006; Maton, 1988; Schiff & Bargal, 2000; for reviews of the benefits of ex-prisoner mutual aid efforts, see LeBel, 2007, 2009).

Eglash 2014

A contemporary revisitation of Eglash's work raises numerous questions and issues for me as a researcher in the now firmly established and thriving field of restorative justice. In 1977, before hardly anyone knew what the term even meant, Eglash asked, 'How do offenders themselves, those on probation or parole, those in prison or juvenile institutions, feel about the concept of restorative justice?' (Eglash, 1977: 98). Thirty years later, I am not sure that we know the answer to this question. We have far better evidence of the impact of restorative practices on recidivism outcomes than we have ever had, and we know a great deal about participant satisfaction levels compared to those who attend traditional courtroom processes. However, are we really utilising the 'greatest resource' at our disposal to the fullest extent?

We expect an enormous amount of the individuals we sometimes call 'offenders' in restorative justice, although we are fully aware of all of the social, economic and structural disadvantages they face, not least their treatment by the criminal justice system. Eglash was fully aware of this deep wound that exists at the core of the so-called 'offender':

So much has happened to the person to weaken or destroy that sense of worth. In the beginning perhaps, a rejecting parent; then problems in school that added to feelings of inferiority; then failures in jobs, discord in marriage, or a variety of other sources of trouble. ... and now to have been arrested, jailed, tried and found guilty seems to say to the defendant all over again, in the most concrete ways, that he is an inferior object with no right to look at himself with pride or hope. (Eglash & Keve, 1957: 4)⁵

⁵ Incidentally, Eglash's co-author of that piece was a county director of community corrections who went on to much higher offices within Wisconsin's state system. One wonders how many voices today, within state systems of criminal justice, would be so open about these hard truths of stigmatisation and labelling within the criminal

It is remarkable, therefore, that we expect genuine remorse and contrition, heartfelt apologies and restitution, from such individuals. It is even more remarkable that we think that we can achieve this through a process of shaming when the individual (usually a young person) is confronted by victims, family members (usually parents or grandparents), community elders, trained mediators, and often representatives of the criminal justice system (uniformed police officers in many cases). From a ritual perspective (see especially Braithwaite & Mugford, 1994; Rossner, 2011), such a dynamic seems unlikely. The figure of ‘the victim’, of course, inhabits a moral high ground like few others in society, so he or she is immediately set apart, and explicitly meant to leave a conference with no blame attached to him or her for the outcome. Parents and guardians, likewise, fill a stereotypical role as moral authority figures. Worst of all, the professional mediator, although unbiased and trained to support and give voice to all participants in the conference, is also likely to give little or nothing of her or himself away. Personally, the mediator (like all of the participants) may be swimming in shame, may have just gone through a humiliating divorce or be recovering from food addiction or a third bout of depression, but none of this is likely to find its way into the restorative conference. As a result, as far as the individual in the ‘offender’ role is aware, he or she is (once again!) in the position of having all blame heaped upon them, scapegoat-like, as the only person in the room who needs to apologise. Forty years ago, Eglash suggested that the young people in trouble with the law he spoke to found the idea of such penitence to be ludicrous. It is not hard to imagine why. All of us would seek to protect our egos and sense of self-worth in the face of such an organised assault.

Eglash’s work might suggest that the dynamic would be different if some of the people in that circle were wounded—or at least more open about their wounds.⁶ ‘Only a skilful guide can encourage a [person] to go a second mile. I suspect that the best guide is a [person] who has him [or herself] gone through it’ (Eglash, 1958: 621). Perhaps we need to open our circles up. Would we see more contrition and more genuine restitution if some of the people in the circle could talk about times they themselves had let their families down, humiliated their mothers, stolen from their grandparents to purchase drugs they could not afford through shoplifting?

justice system (see LeBel, 2012).

⁶ This may happen in some, but certainly not all restorative conferences at the moment. Certainly one example of this sharing of vulnerabilities in practice can be found in the peacemaking circles that have emerged from the restorative tradition (see e.g. Pranis, Stuart & Wedge, 2003).

Almost all of us have bullied others in our lives. Yet only a few have ever been caught for it and made to account for themselves formally. What if, when confronting a young person accused of bullying in a restorative circle, mediators and parents were to talk openly about times they had bullied vulnerable others in their lives? How they wished they had been punished for it or felt shocked and betrayed when they were? Even better, perhaps, they might talk about how much they wish they had the opportunity to find that individual, from all those years ago, and apologise. I know this is what I would say if I were in that circle. Then again, I would also want to admit how petrified I would be to actually do so in real life, to pick up that phone and have that conversation. What a daunting, awful, but potentially incredible process it would be.

Rather than lecturing young people about the dangers of delinquency, as they do in some jurisdictions, perhaps police officers in restorative circles could also be open about their own behaviours. Surely, even cops have been involved in bullying, in lying, cheating and hurting others. Surely they too have much to apologise for as we all do. Exposing such things in a public forum requires a lot of honesty and bravery of course, but then we are expecting no less of the people we call ‘offenders’. Eglash might say that bringing that dynamic into the circle is the key to generating real restitution and genuine remorse from young people.

The easiest way to ensure these dynamics though, of course, is to draw on the resource of fellow ex-prisoners in our restorative work, as Eglash argued. Certainly, the value that such individuals can bring not just to rehabilitative work but at a strategic policy level has been widely recognised in recent years. In the United Kingdom, ex-prisoner led and facilitated campaigning organisations like User Voice and UNLOCK have made extraordinary strides in the past five years (see especially Weaver, 2011). Even the Conservative-led coalition government in the UK has situated ‘old lags’—that is, reformed former prisoners—at the centre of their recent plans for a transformation of rehabilitation. The Conservative Justice Secretary Chris Grayling recently said he would like ex-prisoners, including former gang members, to meet newly released inmates at the prison gates, acting as mentors, ‘making good use of old lags in stopping the new ones’ (Travis, 2012). Cynically, this ‘old lag’ rhetoric appears to be a partial cover-up for a real agenda around privatisation, union busting, and the de-professionalisation of probation work in the UK (see Teague, 2013), yet at some level the Conservatives appear to be giving in to a powerful argument and a growing international trend in this regard.

After all, the same pattern can be found in New York City with its Justice Reinvestment efforts (see Tucker & Cadora, 2003), in Chicago with the Violence Interrupters (see Skogan et al., 2009), and elsewhere where ex-prisoners are being seen as crucial resources for peace-making rather than burdens on their communities (see Dwyer & Maruna, 2011; LeBel, 2009). Organisations like The Center for NuLeadership on Urban Solutions, All of Us or None, and the Women's Prison Association (WPA) in the United States seek to develop 'a group of leaders equipped to craft solutions to the problems facing incarcerated and formerly incarcerated persons'.⁷ These grassroots organisations provide a voice to formerly incarcerated persons and give them the opportunity to engage in attempts to change public policy.⁸ For example, All of Us or None is a national organising initiative of formerly incarcerated persons and persons in prison. On its website and in its brochure, this organisation states that 'Advocates have spoken for us, but now is the time for us to speak for ourselves. We clearly have the ability to be more than the helpless victims of the system'.⁹

In academia, a similar movement called 'Convict Criminology', largely consisting of ex-prisoner academics, have made important strides in changing the way in which crime and justice are taught and studied at the university level (see Weaver, 2011, 2014). One of the most interesting and important groups of convict criminologists to emerge in recent years is known as LIFERS, Inc., a prisoner-led group of men serving life terms at the State Correctional Institution at Graterford in Pennsylvania. In a recent article in *The Prison Journal*, the LIFERS, Inc. steering group (2004: 52) provide what might be the perfect encapsulation of the strengths-based idea:

Accepting the possibility that we could very well be destined to die in prison, we looked at how a life of meaning could be created given our circumstances ... As men of conscience, with nothing to lose or gain personally, we felt a human responsibility to do what we could to attack this problem ... LIFERS, Inc. reached the conclusion that

⁷ see www.wpaonline.org/institute/wap.htm.

⁸ McEvoy and Shirlow (2009) provide a fascinating case study of leadership and activism among ex-prisoners in the transitional context of Northern Irish society, where former prisoners have played an instrumental role in the peace process at every level of government. Although there are of course differences between these ex-prisoners (who experienced a form of political imprisonment during the armed conflict in Northern Ireland) and non-political ex-prisoners, McEvoy and Shirlow point out that there are significant potential lessons for former gang members and other alliances of ex-prisoner groups in the experiences of released prisoners in Northern Ireland.

⁹ www.allofusornone.org/about.html.

we, from our unique position as former perpetrators, could offer the leadership necessary to prevent street crime and violence, saving lives in the process.

The LIFERS, Inc (2004: 60) statement mirrors Eglash's argument from half a century earlier about giving back to their communities as being a crucial 'second mile' in offenders' work to reduce crime: 'It is not enough that offenders released from the Department of Corrections go on their way to live a successful life (the expectation of the rehabilitation model); they should be expected to produce positive tangible results that improve life in the communities they earlier destroyed.' Like Eglash, the LIFERS also advocate a mutual help perspective whereby prisoners and former prisoners are utilised as guides in the transformational process of others: 'Transformed offenders have legitimacy among their pretransformed peers that established social workers, prison officials, and law enforcement personnel do not have' (LIFERS, 2004: 63). As a result, 'the transformation process that begins with the self ends with the transformation of others' (p. 64).

Similar work is going on across the world. None of this activity is organised. It is not a formal social movement. It does not even have a name, but—following Albert Eglash—I call it 'Restorative Justice'.

References

- Bateson, G. (1971). The cybernetics of 'self': a theory of alcoholism. *Psychiatry*, 34(1), 1–18.
- Braithwaite, J. (1999). Restorative justice: assessing optimistic and pessimistic accounts. *Crime and Justice*, 1–127.
- Braithwaite, J. & Braithwaite, V. (2001). Part one. In E. Ahmed, N. Harris, J. Braithwaite and V. Braithwaite (eds.), *Shame management through reintegration* (pp. 3–69). Cambridge: Cambridge University Press.
- Braithwaite, J. & Mugford, S. (1994). Conditions of successful reintegration ceremonies: dealing with juvenile offenders. *British Journal of Criminology*, 34, 139–171.
- Christie, N. (1977). Conflicts as property. *British Journal of Criminology*, 17(1), 1–15.

- Crape, B., Latkin, C., Laris, A. & Knowlton, A. (2002). The effects of sponsorship in 12-step treatment of injection drug users. *Drug and Alcohol Dependence*, 65, 291–301.
- Daly, K. (2012). The punishment debate in restorative justice. In J. Simon and R. Sparks (eds.), *The SAGE handbook of punishment and society* (pp. 356–374). London: Sage Publications.
- Denzin, N. (1987). *The recovering alcoholic*. Newbury Park: Sage Publications.
- Dodge, M. & Pogrebin, M. (2001). Collateral costs of imprisonment for women: complications of reintegration. *The Prison Journal*, 81(1), 42–54.
- Dwyer, C. & Maruna, S. (2011). The role of self-help efforts in the reintegration of ‘politically motivated’ former prisoners: implications from the Northern Irish experience. *Crime, law and social change*, 55(4), 293–309.
- Eglash, A. (1957). Creative restitution: a broader meaning for an old term. *Journal of Criminal Law, Criminology, and Police Science*, 48, 619–622.
- Eglash, A. (1958a). Adults anonymous: a mutual help program for inmates and ex-inmates. *Journal of Criminal Law, Criminology, and Police Science*, 49, 237–239.
- Eglash, A. (1958b). Creative restitution: some suggestions for prison rehabilitation programs. *American Journal of Corrections*, 20(6), 20–34.
- Eglash, A. (1958c). Youth anonymous. *Federal Probation Journal*, 22, 47–49.
- Eglash, A. (1959). Creative restitution: its roots in psychiatry, religion and law. *British Journal of Delinquency*, 10, 114.
- Eglash, A. (1977). Beyond restitution: creative restitution. In J. Hudson and B. Galloway (eds.), *Restitution in criminal justice* (pp. 91–129). Toronto: Lexington Books.
- Eglash, A. & Papanek, E. (1959). Creative restitution: a correctional technique and a theory. *Journal of Individual Psychology*, 15, 226–232.
- Frank, A. (1995). *The wounded storyteller: body, illness and ethics*. Chicago: University of Chicago Press.

- Hadley, M. (ed.) (2001). *The spiritual roots of restorative justice*. Albany: SUNY Press.
- Hudson, J. & Galaway, B. (eds.) (1977). *Restitution in criminal justice: a critical assessment of sanctions*. Lexington: D.C. Heath and Company.
- Hutchinson, D., Anthony, W., Ashcraft, L., Johnson, E., Dunn, E., Lyass, A. & Rogers, S. (2006). The personal and vocational impact of training and employing people with psychiatric disabilities as providers. *Psychiatric Rehabilitation Journal*, 29(3), 205–213.
- James, W. (1982/1902). *The varieties of religious experience*. New York: Penguin Books.
- Jung, C. (1951). Fundamental questions of psychotherapy. In H. Read, M. Fordham, G. Adler & W. McGuire (eds.), *The collected works of C.G. Jung*, vol. 16, (pp. 111–125). Princeton: Princeton University Press.
- Jung, C. (1976). *Letters Vol. 2*. London: Routledge and Kegan Paul.
- Kurtz, E. (1979). *Not-God: a history of alcoholics anonymous*. Center City: Hazelden.
- Kurtz, E. (1981). *Shame and guilt: characteristics of the dependency cycle (a historical perspective for professionals)*. Center City: Hazelden.
- Lacey, N. & Pickard, H. (2013). From the consulting room to the court room? Taking the clinical model of responsibility without blame into the legal realm. *Oxford Journal of Legal Studies*, 33(1), 1–29.
- LeBel, T. (2007). An examination of the impact of formerly incarcerated persons helping others. *Journal of Offender Rehabilitation*, 46(1/2), 1–24.
- LeBel, T. (2009). Formerly incarcerated persons' use of advocacy/activism as a coping orientation in the reintegration process. In B. Veysey, J. Christian & D. Martinez (eds.), *How offenders transform their lives*. Cullompton: Willan Publishing.
- LeBel, T. (2012). 'If one doesn't get you another one will': formerly incarcerated persons' perceptions of discrimination. *Prison Journal*, 92(1), 63–87.
- LIFERS Public Safety Steering Committee of the State Correctional Institution at Graterford, Pennsylvania (2004). Ending the culture of street crime. *Prison Journal*, 84 (Suppl. 4), 48–68.

- McCrary, B. & Miller, W. (1993). *Research on alcoholics anonymous: opportunities and alternatives*. Rutgers Center of Alcohol Studies.
- McEvoy, K. (2003). Beyond the metaphor: political violence, human rights and new 'peacemaking' criminology. *Theoretical Criminology*, 7(3), 319–346.
- McEvoy, K. & Shirlow, P. (2009). Re-imagining DDR: Ex-combatants, leadership and moral agency in conflict transformation. *Theoretical Criminology*, 13, 31-59.
- Maton, K. (1988). Social support, organizational characteristics, psychological well-being and group appraisal in three self-help group populations. *American Journal of Community Psychology*, 16(1), 53–77.
- Mirsky, L. (2003). Albert Eglash and creative restitutions: a precursor to restorative justice. Restorative Practices EForum, www.iirp.edu/iirpWebsites/web/uploads/article_pdfs/eglash.pdf.
- O'Reilly, E. (1997). *Sobering tales: narratives of alcoholism and recovery*. Amherst: University of Massachusetts Press.
- Omale, D. (2006). Justice in history: an examination of 'African restorative traditions' and the emerging 'restorative justice' paradigm. *African Journal of Criminology & Justice Studies*, 2, 33–63.
- Pickard, H. & Pearce, S. (2013). Addiction in context: philosophical lessons from a personality disorder clinic. In N. Levy (ed.) *Addiction and self-control: perspectives from philosophy, psychology, and neuroscience* (pp. 165–189). Oxford: Oxford University Press.
- Poremba, C. (1955). Group probation: an experiment. *Federal Probation*, 19, 22–26.
- Pranis, K., Stuart, B. & Wedge, M. (2003). *Peacemaking circles: from crime to community*. St. Paul Living Justice Press.
- Pynchon, V. (2005). Shame by any other name: lessons for restorative justice from the principles, traditions and practices of Alcoholics Anonymous. *Pepperdine Dispute Resolution Law Journal*, 5, 299–324.

- Roberts, L., Salem, D., Rappaport, J., Toro, P., Luke, D. & Seidman, E. (1999). Giving and receiving help: interpersonal transactions in mutual-help meetings and psychosocial adjustment of members. *American Journal of Community Psychology*, 27(6), 841–865.
- Robinson, G. & Shapland, J. (2008). Reducing recidivism: a task for restorative justice? *British Journal of Criminology*, 48(3), 337–358.
- Rossner, M. (2011). Emotions and interaction ritual: a micro analysis of restorative justice. *British Journal of Criminology*, 51(1), 95–119.
- Scheff, T. (1997). Honor and shame: local peace-making through community conferences. Unpublished paper, www.soc.ucsb.edu/faculty/scheff/main.php?id=6.html.
- Schiff, M. & Bargal, D. (2000). Helping characteristics of self-help and support groups: their contribution to participants' subjective well-being. *Small Group Research*, 31, 275–304.
- Schrey, H., Walz, H. & Whitehouse, W. (1955). *The biblical doctrine of justice and law* (vol. 3). Published for the Division of Studies, World Council of Churches by SCM Press.
- Skelton, A. (2005). *The influence of the theory and practice of restorative justice in South Africa with special reference to child justice*. Unpublished LLD thesis, University of Pretoria.
- Skogan, W., Hartnett, S., Bump, N. & Dubois, J. (2009). *Evaluation of cease fire-Chicago*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice.
- Teague, M. (2013). Rehabilitation, punishment and profit: the dismantling of public-sector probation. *British Society of Criminology Newsletter*, 7, 1–5.
- Travis, A. (2012, 20 Nov.) Plan to extend private sector role in prison leaver support: 'Old lags' including former gang members to act as mentors to inmates newly released from short sentences. *Guardian Online*, www.theguardian.com/society/2012/nov/20/private-sector-prison-leaver-support.
- Tucker, S. & Cadora, E. (2003). *Justice reinvestment*. New York: Open Society Institute.

- Vaillant, G. (2005). Alcoholics Anonymous: cult or cure? *Australian and New Zealand Journal of Psychiatry*, 39(6), 431–436.
- Van Ness, D. & Strong, K. (1997). *Restoring justice: an introduction to restorative justice*. New Providence: Mathew Bender & Co.
- Vanstone, M. (2004). *Supervising offenders in the community: a history of probation theory and practice*. Farnham: Ashgate.
- Weaver, B. (2011). Co-producing community justice: the transformative potential of personalisation for penal sanctions. *British Journal of Social Work*, 41(6), 1038–1057.
- Weaver, B. (2014). The realities of crime, punishment and desistance: first hand perspectives. *Euro Vista*, 13, 3–8.
- Weitekamp, E. (1999). The history of restorative justice. In G. Bazemore and L. Walgrave (eds.), *Restorative juvenile justice* (pp. 75–93). Monsey: Criminal Justice Press.
- Weitekamp, E. & Kerner, H. (eds.). (2002). *Restorative justice: theoretical foundations*. Cullompton: Willan Publishing.
- White, W. (1998). *Slaying the dragon: the history of addiction treatment and recovery in America*. Chestnut Health Systems/Lighthouse Institute.
- White, W. (2000). The history of recovered people as wounded healers: II. The Era of professionalization and specialization. *Alcoholism Treatment Quarterly*, 18(2), 1–25.
- White, W. (2007). The new recovery advocacy movement in America. *Addiction*, 102(5), 696–703.
- Zehr, H. (1990). *Changing lenses: a new focus for crime and justice*. Scottsdale: Herald Press.
- Zemore, S., Kaskutas, L. & Ammon, L. (2004). In 12-step groups, helping helps the helper. *Addiction*, 99, 1015–1023.
- Zieger, G. (2003). *For the good of the children: a history of the boys and girls republic*. Detroit: Wayne State University Press.