



Meditative Reflections on Nils Christie's “Words on Words” - through an African lens

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Introduction

... there are dangers in words. ... Let us go back to basics: ...

Like so much else that comes from the pen of Nils Christie, his “Words on Words” that have inspired this special issue, and with which it begins, have, as they so often do, inspired us to engage in a meditative reflection on his words and their implications for our thinking and practice. We have sought, through these reflections on the wisdom of Christie’s words, to better understand the security governance practices we have been studying, developing and, sometimes, promoting.

In thinking about issues of security and justice we have, for some time, both together and separately, sought to use the richness and the variety of the institutions and practices that constitute governance across the African continent – something that Bruce Baker (2008) and others like Etannibi Alemika (2009) have done so much to reveal -- to stimulate our criminological imaginations. With this in mind, we will use an African lens, and specifically a Southern African lens, as the basis for our reflections. The lens we have selected is an experiment in local capacity security governance that we have been involved in developing, and reflecting upon.

The lens

One of the many advantages that the African continent has for criminologists is that it provides a useful glimpse into forms of governance that do not fit neatly with established models of the Global North – models that colonial governments sought with varying success to import. One of the features of governance across the African continent, notwithstanding the huge diversity that characterizes this continent, is its distinctively nodal character, or what Bruce Baker (2008) has termed its “multi-choice” character. There are many auspices and providers of governance in Africa and this is especially true within the realm of security governance. The nature and effectiveness of these various nodes in providing services, both in isolation and in nodal assemblages, vary enormously from place to place, both within countries, between them, and over time. One of the benefits that can be derived from allowing one’s gaze to stretch across this enormous diversity is that this provides a useful way of looking beyond one’s established paradigms and the conceptual boxes that these so often provide.

While the multi-choice character of African governance has often been seen as a problematic feature regularly associated with the weakness of so many African states, as auspices and providers of governance, for us this feature of African governance has always been an actual, and potential, source of governance strength that is of value globally in rethinking security governance. The idea that there is much to learn from the nodal forms of governance characterizing so much of African society - and which, as Escobar (2008) reminds us, are so essential to societies within the Global South that lie at the edge of, and sometimes outside of, the influences of the Global North - resonates closely with the history of the restorative justice movement, which drew inspiration from Maori, Aboriginal, and First Nation practices in North America as well as from core Christian values that have traversed the North-South boundary.

This integration of Christian values and indigenously inspired practices was nicely expressed in the thinking and practices of the South African Truth and Reconciliation Commission (TRC), which played such a vital role in peace building in South Africa. A concept that the Chair of this Commission, Archbishop Desmond Tutu (2009), used to capture this integration is “ubuntu,” a concept that emphasizes the connection between the individual and the collective: we are who we are as individuals through our connection to others, and these others are who they are through us (Tutu 2009:31).

One limited but, for a short time, a very effective and broadly “restorative” set of nodes within South Africa, was the Peace Committees, established under the auspices of the Community Peace Programme (a non-profit organization that initially was developed within the context of the University of the Western Cape’s Community Law Centre and then its School of Government). As governance nodes, Peace Committees used a set of regulatory processes, which has become known as the “Zwelethemba model”, to promote dispute resolutions designed to build peace within poor, black African, and largely informally housed, communities within the Western Cape.¹

In this short chapter we propose to engage in a reflective meditation on Christie’s “Words on Words” by exploring it through the lens of the Zwelethemba model and the workings of the processes it enabled. Before we do so, a brief word about the Zwelethemba model and its thinking and processes is in order.

The Zwelethemba model and its practices

In South Africa the work began quite literally by one of us going, with a couple of colleagues, to a poor community near Cape Town and holding several general community meetings. At these meetings we proposed the idea of working in an “experimental”, trial and error fashion with members of the community to build a method for governing security through local micro-level institutions that mobilized local capacity and local knowledge. This suggestion was accepted and the "Zwelethemba Model" for local capacity governance was born. Zwelethemba, the name of the community, is a Xhosa word that means “place or country of hope”.

This work began at the end of 1997, after the first democratic government in South Africa had been elected. During this post-election period the Truth and Reconciliation Commission was actively engaged in its work and there was a widespread desire to find ways of making governance more responsive and more deliberative to resonate with African culture and values. At the same time there was a mood of dissatisfaction with the various “popular” governance forums that had emerged within “townships” during the apartheid era to provide governance outside of discredited state structures. A central feature of this dissatisfaction was a widespread rejection of the often brutal and autocratic features of many of these “popular” institutions. A further feature of the mood, reflected very strongly at the early Zwelethemba meetings, was a frustration with the slow pace of change within government delivery mechanisms – a concern that has only become more pronounced today as the many “service delivery” protests, which have become a feature of the political landscape, make clear. Associated with this was the feeling that, if there was to be a rapid improvement in

the delivery of services, more effective and controlled local or popular mechanisms would have to be developed. While very little progress has been made in realising these more nodal forms of governance, despite calls for this since the early 1990s and various policy papers within the security governance arena provide evidence of this e.g. the *White Paper on Safety and Security* (Department of Safety & Security 1998) this sentiment remains very strong and today can be found at the highest levels – see the chapter on “Building Safer Communities” in the recent, and very influential, report of the National Planning Commission (2012: 385-406). This impetus for nodal solutions might be summed up as consisting of considerable hope and high expectations for what the transition to democracy might deliver, coupled with an increasingly apparent pessimistic realism.

This hope that deliberative democratic processes, resonating with African values and traditional practices, would deliver better governance, combined with a scepticism concerning government priorities and the ability of existing agencies to realize the hopes of a better life, established a relative fertile ground in which to plant the seed of experimentation with local capacity governance. This ground was nurtured by the sensibilities of both the Justice Minister of the time, the late Dullah Omar, who was willing to give his endorsement to this line of exploration and the then National Commissioner of Police, George Fivaz, who was willing to do the same.

Following two years of experimentation, a set of governance processes were developed that was sufficiently robust and well-articulated to be thought of as a “model” for managing conflict. While, over time, many adjustments were made (as the experimentation had continued in Zwelethemba and other similar townships), its essential features remained intact.

PeaceMaking

The Zwelethemba model is built around a process that came to be called “peace making” because it was concerned with establishing peace in the face of conflict. This idea of peace resonated with a widespread transitional sensibility that had developed around the notion of peace processes. Peace making, within the model, refers to the objective of reducing the likelihood that the particular conflict will continue. According to the Zwelethemba model, individuals directly involved in the conflict are understood as participants or “parties” rather than “victims” and “offender”. The victim/offender binary is viewed within the model as serving to separate, exclude and pre-judge.

Central to the model is the argument/thinking that the language of “victim” and “offender” structures the meaning of what happened in the past in ways that make it difficult for parties involved to understand and articulate their own reality or lived experience – for example, the fact that today’s offender may well have been yesterday’s victim and vice versa.

Peace making took place through the convening of “gatherings” of people who were invited to contribute to focusing on developing, and then collectively implementing, a “plan of action” that would reduce the likelihood of disputes reoccurring. A key

question guiding the peace making process (and the set of steps established for this) was thus: “how do we make a better tomorrow?” This instrumental focus had its roots in the life experience of poor people who are required daily to get on with the business of living in the face of very difficult circumstances.

Peace Building

Peace building works in the same way as peace making. Here the focus was on generic rather than individual issues. If the Peace Committees (the groups who facilitated the enactment of the model’s processes) identified, as a consequence of “case” reviews and regular community surveys, repetitive patterns they might organize “solutions gatherings” that focused on finding solutions to these more generic issues – again so as to promote a better tomorrow. Peace building processes sought to broaden the model’s reach from the particular to the generic.

A distinguishing feature of the Zwelethemba model is that disputes were not addressed through a backward-looking process that sought to balance wrongs with burdens, but through a forward-looking one that sought to guarantee that the disputants’ goods (both moral and material) would be respected in the future.

Regulating practice

In stressing the importance of local knowledge and capacity, the model did not propose that the knowledge and capacity gathered together should reign supreme. The model was designed to ensure that deliberatively agreed plans of action conformed with values endorsed by the South African state through its Constitution and laws. In doing so, the model sought to distinguish itself from other popular forums that were often brutal and autocratic. Accordingly, the model included, as an essential component, a regulatory framework in the form of a “Code of Good Practice”. This Code operated as a “constitutional framework” that guided and limited the workings of the model. It also established a language and a set of meanings that were used in constituting cases and in responding to them. The Code, along with Peace making Steps, which set out how a gathering was to be organized, structured, and in doing so established boundaries for the actions of Peace Committee members and those who attended gatherings.

By way of illustration: the Code requires that force should never be used as a way of creating a better tomorrow. Similarly, the Code requires that the members of the Peace Committees should never engage in adjudication but were to limit their role as Peace Committee members to facilitating the deliberative processes central to the model.

A Postscript

By the end of 2009 the Zwelethemba Model was, as a consequence of support by the National Government, in use in over 250 schools and surrounding communities in South Africa’s Western Cape Province. Plans had been developed, in consultation with the Government, to extend the model throughout the Western Cape. There were

further plans to then extend its benefits to the country as a whole on a province-by-province basis. As a consequence of the vagaries of politics, and subsequent changes that took place in the composition of the South African government, support for the implementation of the model was withdrawn and implementation activities came to an abrupt end just before Christmas 2009.

First meditation - conflicts

Conflicts are important matters for any society. They can create chaos, destruction, misery - both at the individual and social level. But they can also bring us forward – both at the individual level and as social systems. We can develop, understand more about others and ourselves, and come out of the conflict with increased insights and improved social arrangements. Conflicts can be seen as forces moving individual and/or social systems towards improvement - if tamed and used in a good way. I am in this perspective happy to observe the nearly explosive growth within the field of alternative conflict solutions.

Conflicts are not only “important matters for any society”, they also are common to all societies. This is especially so within those parts of society where people both live at close quarters and compete with each other over very limited resources. This is a feature of many parts of the Global South and it is one that is found in many African cities and towns. Conflict, as Christie suggests, invites action. This action can escalate conflicts and when it does so it can, and often does, lead to violence.

In research undertaken during the development of the Zwelethemba model, one conclusion reached was that “big” conflicts were often a consequence of “cascades” (Braithwaite 2012) that began with smaller ones. A conflict caused by a family’s chickens might well escalate, via a pathway of insults and assaults, to a shack burning. But conflicts can also stimulate actions that initiate pathways that lead to peaceful coexistence, as when neighbours agree upon, and implement, a chicken policy. When this happens, more virtuous cascades ensue so that conflicts are “tamed and used in a good way” (Cartwright & Shearing 2012).

This idea of taming conflicts, by using them as entry points into pathways for peace, regards conflicts as “forces” that can, under the right conditions, move “individuals and/or social systems towards improvement”. The processes that defined the Zwelethemba model brought people together in ways that enabled them to use conflicts as assets in ways that enabled them to routinely create peace, by shifting sporadic cascades destined to create violence and initiating cascades that promote peace. In the final year of the Zwelethemba model’s implementation, over 40,000 conflicts had been used in this way in communities across the Western Cape. What this meant was that over 40,000 conflicts did not cascade into violence and, as importantly, in none of these cases was it necessary to engage the punishment focused solutions of criminal justice. In each of these cases the groups involved had come, in Christie’s terms, to “understand more about others and [themselves], and [had] come out of ... conflict with increased insights and improved social arrangements”. While there is much that separates the many processes that cluster under the sign “restorative

justice” (Wood, Shearing & Froestad 2011), one of the features that unite them is this view of conflict as a potential asset to be used to promote peaceful coexistence.

What the Zwelethemba experiment sought to discover was how one might, within a context of largely informally housed communities, put in place arrangements that would, like a skilled Jujitsu master, redirect the energy that fuels conflicts, so that it becomes an energy for peace (Braithwaite, Charlesworth & Soares 2012: 8).

In this experiment a key learning was the crucial importance of eschewing the “blaming game”, as it is the accusations and counter accusations of this game that play such a crucial role in escalating conflicts and in inhibiting those involved in them from making peace. What was required, the model developers concluded, was a shift in focus from “repairing the past” to creating a “better tomorrow” (Leman-Langlois & Shearing 2004). What the Zwelethemba experiment showed is that this can be done routinely, thousands and thousands of time over, to create small but significant better tomorrows for people and communities engulfed in the consequences of escalating conflicts.

Second meditation – disputes and disputants

Penal law is forced to think in black and white, guilty, not guilty, - a life in dichotomies. Alternative thinking, and action, is not forced into the same limitations. That is their strength! How sad and bad to see how they nonetheless succumb to the terminological limits inherited from penal law. Understanding has to be built from whole stories. When they have been revealed, we might be able to abolish the simplified terms of victims and offenders.

For many of the conflicts that were addressed by the Zwelethemba model, it was seldom possible to draw a clear distinction between “offenders” and “victims”, as the cascades of violence – the historical trajectory of the conflict and its outcome - had often led “the victim of today to be the offender of tomorrow”. As a consequence, the model discouraged the use of these categories in favour of the more equivocal category “disputants”. Indeed the model banned the use of the terms “victim” and “offender”. Similarly, the Zwelethemba model preferred to speak of “disputes”, rather than conflicts.

Words, as Christie suggests, constitute the worlds they describe. As Symbolic Interactionists have long recognized, words like “conflict” are not simply signifiers but make up worlds they signify (see Blumer 1969 for example). The category “conflict” suggests battles and win-lose outcomes. Disputes, on the other hand, suggest not attacks, but disagreements, differences of opinion, which in principle can be identified and discussed.

The category “disputes” was used within the Model to constitute a very different world, one in which there was space and opportunity for dialogue and a different tomorrow – a shift from a vicious cascade that had led to disputes escalating, to a more virtuous case cascade that saw the emergence of a better tomorrow. “Dispute” allows for greater flexibility in how disagreements are handled. It recognizes disagreement but does so in ways that suggest a sense of a whole, of a human

community, that encompasses disagreement. The category of “disputes” provides for the respectful dialogue that Braithwaite (2002) identifies as a core and uniting element of restorative justice processes.

Third meditation – restoration

“Restorative justice”; it sounds beautiful. Getting matters right, and in a just way. Offenders learn a lesson and victims obtain their rights. It sounds acceptable, from Right to Left in the political spectre. So close to punishment, but without some of the bad side effects. No wonder that the system receives so warm a welcome.

Another reason for Zwelethemba to distance itself from many of the practices that cluster under the sign of restorative justice was a concern regarding the idea of “restoration”. The processes of the Zwelethemba model do not simply restore peace, but create it. The Afrikaans (and Dutch) word “leefbaarheid” – that can be roughly translated into English as “livability”-- captures what the Zwelethemba model designers had in mind when they thought of safety and security. For them what the lives of the “disputants” lacked was livability. Disputes that escalated into conflicts and often violence epitomized what they did not want. What people meant when they talked about safety, of being safe, was more than ensuring that their bodies and possessions were not threatened, rather livability that comfortably enabled them and their children to live, work and play in safety. To be safe meant being able to live lives in the confident expectation that one would be able to live within one’s community with a sustained, and taken for granted, sense of “leefbaarheid”. This hope resonates with Hobbes’ notion of peace as being more than the absence of war but rather an expectation of sustained peace (Hobbes, 1651/1968: 84). This did not require restoration, but creation. While peace gatherings in fact sometimes ended with the disputants offering each other signals that the social relation between them had been restored, the plans of action that were entered into typically signaled a better future, not the return of a peace that had been lost. Where social relations were restored this was not an end, but rather a means to the end of a future peace. The focus of the Peace Committees was not the restoration of social bonds but rather the creation of peaceful communities. A focus on restoration was viewed as limiting the repertoire of possible solutions available to build peace. An example from Zwelethemba serves to illustrate this point:

One of the conflicts brought to the Zwelethemba Peace Committee was by neighbours of a family who were worried that the on-going conflict between a daughter-in-law and her husband's mother would escalate into serious violence. A Peace Gathering was convened of the persons regarded as most likely able to contribute to a resolution of the conflict. The invitation to the Gathering was to persons who were regarded as being in a position to be helpful in an instrumental sense and were not there as “supporters” of one or other conflicting parties. The Gathering quickly concluded that the chances of restoring a “happy family”, if there had ever been one, were minimal. The Plan of Action agreed upon involved moving the son and the daughter-in-law's informal house to another part of the township far from the mother-in-law.

Fourth meditation– mediation

1. Mediation- from within, or from the outside?

... mediation might be a dangerous tool. ... mediation can have consequences for power and politics.

Mediation references the bringing in of an impartial party to assist in the resolution of differences through some process of negotiation. A conventional view of impartiality in mediation has been that it is best achieved through a form of “detached neutrality” performed by third parties that have no prior relationships with the participants, or direct knowledge of the conflict. This model of a disinterested decision-maker using objective, rationalist, and universal forms of knowledge to justify decisions has become a predominant model in modern societies (Morgan 2006).

But when is this satisfactory? As Christie points out, there is very often a danger that creating peace in this way may encourage a skimming over the surface that eschews “more fundamental problems,” problems that an impartial person, especially a partial outsider asked to craft a settlement, may have difficulty identifying, let alone understanding.

What the Zwelethemba model sought to accomplish was very far from mediation. The model resists the idea of a solution being crafted by an outsider, even a group of relative insiders, such as Peace Committee members, on their own. The authority for sorting things out in this model was not to be an outside authority, who would impartially decide what was right, what should be done, etc. Rather, the model insists that the resolution come from inside and that it arise as a consequence of deliberation among insiders, a deliberation that was designed to craft a consensus.

The model was designed “to return ... conflicts to (their rightful owners)” (La Prairie 1995:80), in precisely the way that Christie has advocated. Indeed, Christie’s (1977) paper on “Conflicts as Property” was at the forefront of the model developers’ minds as the model was crafted.

Specialisation in conflict resolution is the major enemy; specialisation that in due – or undue – time leads to professionalization. That is when the specialists get sufficient power to claim that they have required special gifts, mostly through education, gifts so powerful that it is obvious that they can only be handled by the certified craftsmen (Christie 1977: 11).

Accordingly, a core principle of the Zwelethemba model is that the Peace Committee members who facilitate the peace gatherings should not act as authorities who decide on how a conflict should be resolved. Associated with this is the requirement that they refrain from using threats to compel a resolution. Their role is to use the model’s processes to facilitate a discussion between those present – those party to the conflict and those who were invited to attend because it was thought that they would be able to contribute to such a resolution. A particular concern that the model sought to guard against was that Peace Committee members might come to be looked to as specialists with the knowledge, capacity and authority to resolve disputes (Froestad 2013: 87-125).

In the Zwelethemba model detached neutrality has no particular salience. What the research reported by Froestad (2013) documented was that the Peace Committee members did not function as detached decision-makers, nor did they take a neutral stance towards the different values and norms being explored as the conflicts were dealt with. What was observed was that when they expressed their opinions on conflicts during deliberations they did so as member of the communities familiar with the norms and values of their communities. The practices that unfolded under the auspices of the model might rather be seen as adopting a role of embedded intermediaries (Gadlin & Sturm 2007: 7).

A key challenge for Peace Committee members was how, as embedded intermediaries, to balance these two roles – as facilitators of the model’s processes and as community members, while eschewing the role of mediators. On the one hand, a role of the Peace Committee members, as they learned to practice the principles of the Zwelethemba model, was to actively make use of the knowledge they had required of the predominant opinions, norms, and values within their localities and use this knowledge to facilitate and guide the process of peace making at the gatherings. On the other hand, the model requires that gatherings should comply with the standards of the Code that incorporated external democratic values that were cosmopolitan rather than local – for example, ensuring that all present are heard and were enabled to contribute to a plan of action for a better and more peaceful tomorrow. Research into the practice of Peace Making has confirmed that the Peace Committee members were, in the majority of gatherings, able to effectively balance these requirements.

2. Mediation and “high politics”

Kjersti Ericsson pointed to [the dangers of mediation] in a book as far back as in 1982. Mediators might be able to “solve” conflicts at the local level, but these conflicts are often of a type that ought to be handled at a much higher political level in society. By creating peace at the ground-level, society is spared the trouble in finding more fundamental solutions to a great amount of problems. Youth vandalism of property might be a problem approached by mediation, but maybe money for a youth club would be a better solution?

Mediation is indeed a powerful and “dangerous tool”, with political consequences. Sometimes mediation on the individual level might function to cover up or distract from the need to attend to a problem “higher up”, to prevent a problem from emerging, rather than to act pro-actively. There is a long established debate within restorative justice about the transformative and more conservative aspects of its practice in this regard. As the value of restorative justice has been increasingly acknowledged and its programs increasingly institutionalized, many scholars have become worried that the transformative potential of the movement might be tamed and unrealized.

A potential strength of forums of mediation is that they, through their interventions into individual cases, gather knowledge about the sources of many of the conflicts they try to manage. This knowledge might become a valued resource for policy reforms seeking to prevent conflicts from emerging. This is a capacity that many

scholars within restorative justice have argued is currently under-utilized by the different programs of alternative conflict management, which have been established. A particular strength of the Zwelethemba model, as Roche (2004) claims, is that it sought to systematically combine peace making interventions with peace building ones. This idea of building systematic knowledge about social issues locally and using it for policy reforms can be perceived as “governmentality bottom up”, as Appadurai (2001) suggests, and has considerable potential for enabling poor and marginalized people to express a voice that is heard in “higher politics”. The key to this is for those who are poor and marginalized to gather knowledge and capacity within nodes with governance capacity – as the Peace Committees – over which they exercise substantial control. Nodal capacity of this sort enables those who are poor and marginalized to negotiate with other governmental actors from a position of strength, as Appadurai observed in his studies for Shack/Slum Dwellers International.

A learning from the Zwelethemba model has been that, as the Peace Committees built up knowledge about conflicts and a capacity for solving them locally, they became nodes of interest for many other actors, public and private. This became an asset that the committees, and the communities within which they worked, could trade to enroll the resources of other nodes into their own agendas and projects, thereby increasing their own power and self-directedness in policy processes (Wood and Shearing 2007).

Fifth meditation - justice

*What to call the babies, - the core activities for alternative handling of conflicts ... **Restorative Justice** has been the general designator within the field ... The worst part of it is “**justice**”. It leads us straight into the institution of Law. Lady Justice, blindfolded with a sword in hand. If anything, the activities we are interested in have no need for a sword. And no need for blindfolding anybody. Blindfolding is a device for preventing undue interference and thereby hindering abuse of the sword. Organizations for alternative ways of handling conflicts are not there to create pain, but to create understanding. Penal law emphasize justice in the meaning of treating each case with equal severity. But few acts are equal. And no human beings are completely equal to anybody else. Lawyers attempt to handle this unpleasant fact of life by looking away from most elements in what they are to compare ... The alternative way to handle conflicts is based on the opposite principle. Here is no dominance of readymade decision on relevance. Relevant is what the parties find relevant. The dominant goal is to open for insight, - bring the parties so close that they can see each other, and increase to the utmost the amount of information that can create a basis for handling the on-going conflict.*

As Christie indicates, justice as “just deserts” (Von Hirsch, 1976), has come to dominate conceptions of justice within criminal justice and security governance more generally. However, as the Zwelethemba experiment indicated, there may well be other conceptions of justice that are appropriate when alternative ways of handling conflicts are utilized.

A problem that Christie identifies is that some forms of restorative justice tend to replicate and endorse key features of criminal justice and the logic that is expressed

through them. When restorative justice becomes embedded within criminal justice there is a tendency for the logic of criminal justice to infuse its processes. The Zwelethamba model sought to respond to these concerns by eschewing blame – the blame game – and by remaining at arm’s length from the processes of criminal justice. Within the model, justice as “just deserts” was, by definition, given no place. The preoccupation of Zwelethamba was to reduce the risk of further harm, to build a better and more peaceful tomorrow, not to provide a justice of deserts.

Nonetheless, as Shearing and Johnston (2005) sought to show in their analysis, Zwelethamba’s sense of justice is premised on the idea of good and right outcomes - this sense was given symbolic expression at the close of gatherings through song, dance and prayer. This was not a sense of justice as deserts nor was it a sense of justice as healing, as in restorative justice. This is not to say that expressions of forgiveness and “restoration” did not appear at peace making gatherings. Indeed they often did. This, however, was not considered to be essential to the workings of the model.

What Shearing and Johnston identified as an alternative sense of justice was something quite different – the sense that justice had been done because a better tomorrow was being created. The sense of justice was the sense of justice as a better future. For these participants, justice required doing something that would create a better world where the harms that they were experiencing would be less frequent. Justice meant transformation and when, through gatherings, transformation was being shaped a sense of justice was experienced and celebrated, often through song, prayer and dance. Justice as a better future meant making a difference that would transform people’s lives. It meant in Leman-Langlois and Shearing’s words (2004), “repairing the future” and not simply repairing a damaged past – justice as transformation.

Through the plans of action, participants promised each other that they would create not only a “behavioural ordering”, but a moral or symbolic ordering that provided a sense of justice - a sense that things were being put right (Stenning, Addario, Condon & Shearing 1991). A crucial learning of the Zwelethamba model is that this integration of moral and instrumental responses may take place within a risk-focused, future-oriented process as well as through a past-focused one. Within the model the focus shifted away from balancing disadvantages, that is so essential to “just deserts thinking”, to a promise of future advantages, for all involved (Shearing & Johnston 2005).

A conventional critique of restorative justice, and other practices of informal conflict resolution, is that they lack the quality of law-based adjudicative processes. It has been argued that this limits their ability to advance and confirm general public norms through open and principled decision-making forums. Only legal reasoning embedded in binding precedents, through the formal declaration of general rules by courts and legislature, is perceived to be qualified to clarify the general norms and rules that create and maintain a binding social order. But as Christie observes, much is lost by such a view. One of these losses is a loss of opportunities for norm-clarification, a loss of pedagogical possibilities.

It is a loss of opportunities for continuous discussions of what represent the law of the land ... Lawyers are, as we saw, trained into agreement of what is

relevant in a case. But that means a trained incapacity in letting parties decide what *they* think is relevant in a case (Christie 1977: 8).

During the last couple of decades, legal pluralism scholars, and others, have challenged the conventional view. Scholars within the deliberative democracy approach, and within conflict resolution, have begun to explore how public norms also emerge and diffuse through bottom-up social practices. What observations on justice in the context of Zwelethemba indicate is that it might be well to recognize that justice can be perceived and done in different ways and that establishing the conditions for future peace may also provide for a sense of justice experienced by people involved in such processes. What this implies is that alternative models of conflict resolution may offer alternatives to criminal justice's way of perceiving justice, which might enrich our imagination of how to create fairer and more peaceful societies.

Conclusion

...there are dangers in words. Those words I have been criticized are very close to those used within penal law. They might thereby tempt the major operators in the system to think in that framework, - and to act as they think ... Boards for Handling conflicts in civil ways, that is central in the activities behind the concepts discussed above. Why not simply say so: We work with conflicts and in organizations for handling conflicts. A less heroic terminology, but one less open for abuse and misleading expectations.

In our meditation on Christie's "Words on Words" we have utilized the thinking and experience of a particular South African experiment in local capacity security governance that has become known as the Zwelethemba model. Our reflection on restorative justice through this African lens has offered support for the concerns and worries that Christie's text expresses. George Pavlich (2005), along with other scholars within restorative justice, have voiced similar concerns to those of Christie -- that this approach, in spite of its many acknowledged and valuable contributions, tends to remain disciplined by the logic of the system it has sought to oppose.

We have, through a brief set of reflections on the Zwelethemba experiment in these meditations, sought to demonstrate that this model, along with other on-going practices of security governance within the African continent, might offer insights useful for restorative justice as it reflects on its own practices. We have sought to demarcate a space for alternative forms of conflict management that are organized outside of the established logics of criminal justice by offering a way of managing conflicts that draws on local knowledge and capacity and that eschews the need for a "blaming game" in favor of a search for a future-oriented justice and peace.

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Endnotes

ⁱSee Froestad, 2013, for a detailed analysis on the working of the model and its potential for contributing to the promotion of valued public goods, and Cartwright and Shearing, 2012, for an exploration of how design principles may be extracted from the model.