

Everything is Discipline: Toward A Poststructural Critique of Restorative “Justice”

BRAD BIERDZ
University of Wisconsin-Madison

ABSTRACT: In this investigation, I begin by outlining an overview of restorative “justice” practices (RJP), tempering it with critical and feminist understandings of power. I then build a poststructural theoretical lens, connecting the illusion of power, panopticism and normalization, and how power produces resistance in the context of 21st century U.S. schools. Following, I apply this theoretical lens in a critique of restorative “justice” practices in such schools, exploring how restorative practices are constructed in educational literature and analyzing the popularized image of restorative “justice” as an emerging example of what Kevin Kumashiro has called “commonsensical.” Finally, I conclude with theoretical implications and suggestions for future research so as to grow our poststructural understandings of restorative “justice” and challenge the uncritical ways the broader field of educational scholarship has wrestled with questions surrounding RJP.

Keywords: Restorative Justice, Poststructuralism, Punishment, Socialization, and Panopticism

RESUMÉ: Dans cette enquête, je commence par donner un aperçu des pratiques de « justice » réparatrice (PJR), en les modifiant légèrement d'une compréhension critique et féministe du pouvoir. Je mise ensuite une vision théorique post-structurelle, reliant l'illusion du pouvoir, le panoptisme et la normalisation, et comment le pouvoir produit une résistance dans le contexte des écoles américaines du XXI^e siècle. Ensuite, j'applique cette théorie à une critique des pratiques de « justice » réparatrice dans de telles écoles, en explorant la manière dont ces pratiques sont construites dans la littérature pédagogique et en analysant l'image vulgarisée de la « justice réparatrice » en tant qu'exemple émergent de ce que Kumashiro (2009) a proposé. Enfin, je conclus par des implications théoriques et des suggestions de recherches futures afin de développer une compréhension poststructurale de la « justice » réparatrice et de remettre en question les manières non critiques que le champ plus large de la recherche en éducation a affronté avec des questions relatives au PJR.

Mots-clés: justice réparatrice, poststructuralisme, punition, socialisation et panoptisme

Introduction

Since the early 1990s, zero-tolerance policies have been one of the most popular systems of school discipline within the U.S. (Skiba, 2000). Dictating particular punitive punishments for offenders of particular “crimes” (Skiba, 2000, p. 2), these systems and the policies associated with them (the zero-tolerance policies) have created a hegemonically divided, antagonistic environment within public schools (Noguera, 2003). As studies have shown (Annamma, Anyon, Joseph, Farrar, Greer, Downing, and Simmons, 2016; Skiba, Horner, Chung, Rausch, May, and Tobing, 2011; Losen, Hodson, Keith, Morrison, and Belway, 2015; Teske, 2011), zero-tolerance policies coupled with punitive punishments: incite recidivism (Teske, 2011), increase the amount of suspensions (Losen et al., 2015), reduce learning time for particular students (Annamma et al., 2016), and support the normalization of a race-based, gender-based, class-based, and hegemonically oppressive society, in which inequality is unconditionally supported.

Noting this, some schools have taken actions to counteract the authoritarian and purely punitive forms of punishment taking place in schools – looking towards restorative “justice” (Here and throughout the paper, I intentionally put “justice” within quotation marks to note that restorative “justice” never truly offers justice on behalf of the student but rather forces greater systems of power upon their body) (Elliot and Gordon, 2013, p. 27-28). In a tangible sense, these new practices (restorative “justice”) have been shown to reduce recidivism, build moral development, and enhance motivation for change (Ryals, 2011). They have the ability to change based upon the infraction and disrupt the regularized zero-tolerance policies already in place (Payne and Welch, 2015). Throughout both educational research literature and more popular publications, restorative “justice” has come to be seen as a progressive change in school discipline, and as a result, many educational theorists and philosophers have also begun to tout the greatness, the newness, and the “justice” of this seemingly novel idea in education (Ryals, 2011; Dzur, 2011; Morrison, 2012). They cite the democratic principles of it (Dzur, 2011, p. 367-368). They note the human connections within it (Ryals, 2011, p. 24).

However, as researchers and practitioners, we have to question whether we have simply (re)created a more powerful system of socialization and control – whether we have contributed to the prevalence of objectification within the context of schooling – whether we have merely introduced an even better system of socialization that attempts to remove perceptible rebellion ever more from our schools (Mayo, 2015; Giroux, 1981). Of course, while restorative justice practices are upheld in a variety of contexts (Johnstone & Van Ness, 2013), such practices must always be read through a critical lens that questions the regimes of power

restorative “justice” practices operate within – such that progressive “justice” in relation to school and its corresponding policies is a self-contradictory conglomeration of words. Restorative “justice” must be critiqued while looking through lenses of regimes of power since such practices are always already operated and instituted through the logics of capitalism, hegemonic whiteness, processes of reification dependent on alienation, and patriarchal ways of knowing and understanding that can all find themselves instituted and reinstated within the walls of schooling (Box, 2011; Postone & Galambos, 1995). For instance, these restorative practices, when placed into the contexts of schools, always already operate within our co-constructed cultures of capitalism, meritocracy, schooling, and individualisms (Foucault, 1990). And as a result of this, a progressivizing policy deterministically understood through these frames is fundamentally impractical – our logic of understanding power, change, and reality are already (deterministically) trapped by these regimes of power that are constantly reproduced, thereby necessitating the following critical inquiry through those lenses.

In the following investigation, I begin by outlining an overview of restorative “justice” practices, tempering it with critical and feminist understandings of power. How is power shifting, moving, or changing with respect to restorative justice practices? How can a poststructural critique bring light to the power relations within restorative justice and the school? I then build a poststructural theoretical lens, connecting the illusion of power, panopticism and normalization, and how power produces resistance in the context of 21st century U.S. schools. Subsequently, I apply this theoretical lens in a critique of restorative “justice” practices in such schools, exploring how restorative practices are constructed in educational literature and analyzing the popularized image of restorative “justice” as an emerging example of what Kumashiro (2009) has called “commonsensical.” Finally, I conclude with theoretical implications and suggestions for future research so as to grow our poststructural understandings of restorative “justice” and challenge the uncritical ways the broader field of educational scholarship has wrestled with questions surrounding RJP.

An Overview of Restorative “Justice”

The purposes of restorative “justice” practices in a variety of literature are: “in order to restore the harm caused, the offending student and those individuals whose trust was violated must reconcile” (Payne and Welch, 2015, p. 540); “restorative justice aims to restore the well-being of victims, offenders, and communities damaged by crime and to prevent further offending” (Liebmann, 2007, p. 25); and “restorative justice is an ethos with practical goals, among which to restore harm by including affected parties in a (direct or indirect) encounter and a process

of understanding through voluntary and honest dialogue" (Gavrielides, 2007, p. 139). As researchers and thinkers in education, we frame these kinds of restorative practices in an abundance of ways. We frame restorative "justice" as a prescription (Holtham, 2009); we think of it as reconciliation and for the betterment of those involved (Braithwaite, 1989); we construct these practices as restorations, preventing further "crimes" from happening and reintegrating offenders back into the social space of classrooms (Morris, 2002); in some veins practitioners shape restorative "justice" as essentialized dialogue; and in others as a process of transformation with those that have been "affected," ultimately trying to reduce recidivism and "crime" (Karp, 2001; Rodriguez, 2005; Umbreit and Armour, 2011). Moreover, practitioners and researchers popularly begin framing the problem of school discipline as a lack of resources and more demonstrably as a lack of "proper" practices and information (Skiba, Horner, Chung, Rausch, May, and Tobing, 2011; Losen, Hodson, Keith, Morrison, and Belway, 2015; Teske, 2011), such that restorative "justice" is this missing information – this missing resource. However, while framing restorative "justice" in these myriad ways, researchers and practitioners simultaneously fail to acknowledge the systemic issues that surround the institution of restorative "justice." We fail to take note of the ideological entrapping of our regimes of power within such limitations of our consciousnesses and reality – there is no outside of ideology (Lorde, 2012, p. 112).

Briefly, highlighting some of the practices of restorative "justice", many researchers agree that restorative practices have the ability to disrupt normalized punitive discipline systems (Elliot and Gordon, 2013; Ryals, 2011; Dzur, 2011), engaging more critically with those students that challenge the norms of our schools (Schweigert, 1999; Claes, Foqué, and Peters, 2005). Even more, some research and theoretical work demonstrates that restorative "justice" may even provide spaces for folks¹ to challenge the systemic nature of schools, allowing them that critical, proto-disciplinary space to call into question the normalized ways of knowing and being within the contexts of schools (Schweigert, 1999; Ryals, 2011). As noted above, restorative "justice" reduces the kinds of recidivism we see in schools (Bonta, Jesseman, Rugge, and Cormier, 2007). By critically engaging with folks that come into contact with discipline systems in schools, many researchers, mobilizing the rhetoric and logic of reintegrative shaming (Suvall, 2009), note reduced cases of recidivism in schools that adopt restorative "justice" practices, ultimately reinstating the individual into the social spaces of the school (Ryals, 2011; Bonta et. al., 2007). Further, researchers also demonstrate the

¹ I use folks here and throughout the article to denote a multiplicity of people and groups and to avoid homogenizing people into one or another identity.

ability of restorative “justice” to benefit moral development (Schweigert, 1999; Ryals, 2011; Barton, 2003). Some scholars argue that restorative “justice” builds on the continuing creation of a personal morality while also connecting a personal morality back to a universally based or socially based understanding of morality, promoting a greater demonstrability between personal, interpersonal, and socially bound interpretations of goodness (Schweigert, 1999).

Restorative “justice” practices ultimately aim to *better* the experiences of those students within specific social spaces, schools, and communities (Ryals, 2011; Dzur, 2011; Morrison, 2012; Payne and Welch, 2015). Replacing zero-tolerance policies and many types of punitive punishments, restorative “justice” is intended to better the experiences of students within schools while also providing ways in which the school can better “serve” those students (Morrison, 2012; Payne and Welch, 2015). Such restorative practices are meant to bring together communities, creating stronger bonds between individuals and elevating a sense of trust within the community, both for those that have been affected by some form of misbehavior and those that have been party to some form of misbehavior (Morrison, 2007) – not only building a conversation between those parties but also attaining a sense of autonomy and control over one’s situation within social spaces and disciplinary sphere (Walgrave, 2013). Restorative “justice” is also ideally a practice of humanization. Though implicated above, restorative “justice” scholars also purport that such restorative practices give space for students to take control of their education – to gain a sense of power over the discipline system that they have to come to terms with – and thereby gain some sort of humanity or voice in the process (Walgrave, 2013; Umbreit and Armour, 2010). Restorative “justice” has been noted to reduce recidivism (Suvall, 2009; Ryals, 2011; Bonta et. al., 2007), increase feelings of autonomy (Walgrave, 2013; Umbreit and Armour, 2010; Morrison, 2007), build moral development on both a personal and social level (Schweigert, 1999; Ryals, 2011; Barton, 2003) – all the while decreasing the amounts and kinds of zero-tolerance policies and punitive forms of punishment that have traditionally been the default for US schools since the early 1990s (Skiba, 2000).

Eventually, while we have to realize the extensiveness of restorative “justice” practices – even the relative “goodness” in many cases of restorative practices (Ryals, 2011; Dzur, 2011; Morrison, 2012; Payne and Welch, 2015), we also have to understand that these practices must always already be understood through regimes of truth and power (Fraser, 1981; Foucault, 1990). In particular, there are no exceptions to ideological influences and realities of the world in which we operate and exist, and consequently, when we begin to reform our schools’ punishments systems we cannot ignorantly hope to create a disruptive,

revolutionary, or even distinctive system of discipline, since all of our understandings and consciousnesses are always already within and proscribed by regimes of power such as authoritarian capitalism, hegemonic patriarchy, and adjusting, directing whitenesses (Fraser, 1981; Marcuse, 2002; Thandeka, 2000). Even more, though restorative justice has been framed as a progressive mechanism in schooling, when we, alternatively, begin to understand restorative “justice” as perpetuating regimes of power itself (Foucault, 1995; Gore, 1992), we further recognize how restorative “justice” maintains dehumanizing regimes of power while simultaneously being deemed, over and over again, as humanizing or liberalizing (Ryals, 2011).

Theoretical Lens

Jean Anyon rightly describes school as in and of itself socialization (Anyon, 1981); moreover, as Foucault insinuates, school is embodied in various regimes of power that conduct experience through channels of socialization and normalization. Thus one of the primary ways that schools “prepare” students for this society is through discipline and punishment (Foucault, 1995). Even more, discipline also becomes made-foundational in school environments such that *everything* within those off-white walls (both a symbol of white supremacy within the schooling context and the monotony of a prison (Foucault, 1995, p. 228)) becomes a form of discipline, such that school itself is positioned as a system of disciplines – a way to control bodies in order to reify the minds of individuals (McMahon, 1970, p. 515). The way students walk in schools is monitored and punished (Lewis, 2010); the way they play is critiqued and controlled (Blackford, 2004); the time spent going to the bathroom is under strict surveillance (Devine, 1996, p. 216-217). Everything a student does within those walls is under a panoptic gaze (Wolosky, 2014, p. 286).

Furthermore, by being intentionally disjunctive through the use of poststructural feminist theories of power, other poststructural thinkers, and absurdist philosophers such as Butler, Foucault, and Camus, we reach a point in analysis that the school becomes not only a place of socialization, not only a place of discipline, but also a place of rebellion – a place where students begin to use their physical bodies to fight back (Pitsoe and Letseka, 2013, p. 25). Thus, invoking a poststructuralist and “absurd” connection to Camus (Vanborre, 2012), we need to understand the obligation to rebel in these situations of discipline – to attack whichever person/regime of power takes freedom from us (Camus, 1991, p. 10). However, schools are ultimately projects of socialization, places of made-inherent discipline, and regimes of truth that necessitate the (re)introduction of the status quo and regimes of power; thus, though rebellion does exist, this rebellion is simultaneously absurd and fleeting. Regimes of control and discipline in schools concurrently and causally

produce and bring about rebellion that summarily validates such a system of power by undermining that rebellion and positioning such student-heretics as the punished parties (Foucault, 1995, p. 83; Ball, 2013).

The Illusion of Power

Though I certainly do not want to take away the limited agency that teachers have in their classrooms, I also think, as researchers and practitioners, we have to recognize that teachers are conduits of power in schools – that power acts through and on individual actors rather than the wholesale endeavor of being empowered (Ellsworth, 1992, p. 298). Throughout teacher educations, student teachers are repeatedly told to never lose control of the room; they are told to send “bad” students to the principal’s office; they are taught not only to ignore “non-sensical” questions that challenge their positionality (both imagined and real) but to also reprimand those students asking those “nonsensical” questions. Moreover, these teachers are forced into a curriculum that is hegemonic and deleterious to communities of color, people with disabilities, women, LGBTQ+ folk, as well as others. And although we have to realize that these teachers do have a privileged position in the room compared to the students that are under greater regimes of power, we also have to realize that the teacher’s power is always mediated by the State, the curriculum, disciplinary policies, societal expectations and “realities” that were forced upon them in their own educations (Gore, 1992, p. 57). Ultimately, this illusion of power may give the teacher a false position of blame within the context of the school-to-prison pipeline, dehumanizing teaching practices, and the “failure” of modern schooling (Wald and Losen 2003, p. 1-2; Kumashiro, 2012); however, just as stated above, we have to realize how little power-to-change teachers actually have. And although I would argue that teachers need to take a deeper look at their own investment in domination within the off-white walls of the classroom, I would not want to mistakenly give them access to power that was only illusory. In the end, this illusion of power also operates within and must be understood through those regimes of power mentioned earlier – especially within the context of restorative “justice.” For instance, though scholars may argue that restorative justice is humanizing and even empowering in certain ways (Ryals, 2011; Dzur, 2011; Schweigert, 1999; Claes, Foqué, and Peters, 2005), in a poststructural critique, power is always already. Therefore, restorative justice always already upholds those regimes of power – creating an ever-greater illusion of power in the guise of empowerment, perpetuating itself into the future by furthering made-fundamental regimes of power, and concealing itself among ostensibly liberalizing pieces of reform.

Panopticism and Normalization

Following, if we are to more fully understand how restorative “justice” practices must always already be seen through and understood through regimes of dominations (Dews, 1984), we should begin to delve into panopticism and how it manifests itself in schools as processes of becoming and normalizing (Foucault, 1995) – how we, consciously or not, keep a running backlog of everything we see around us and filter those actions, words, and ideas through an internal reviewing mechanism, trying to make sure that those around us (and even ourselves) are stacking up to whatever idea of humanity we are hailed to accept (Foucault, 1995, p. 201). For instance, teachers “monitor” students within “their” classrooms; administrators walk up and down the hallways to make sure every student is within a classroom (Devine, 1996). Even more, students unconsciously watch themselves and those students around them, making sure everything is “in order” (Hope, 2009).

Through the processes of panopticism, students are also “forced” to play part in their own assimilation and homogenization (Webb, Briscoe, Mussman 2009). Normalization, working through processes of panopticism as well as other regimes of power, functions both as a system of control in the school and as a system of categorization and homogenization (Wolosky, 2014, p. 289; Gane, 2012, p. 619-625). As Foucault defines it, normalization is “the perpetual penalty that traverses all points and supervises every instant in the disciplinary institutions compares, differentiates, hierarchizes, homogenizes, excludes” (Foucault, 1995, p. 183). Hence, through the surveilling nature of the panoptic gaze, students begin to regulate one another and themselves towards a homogenized, “accepted middle” (Brivot and Gendron, 2011). Moreover, restorative “justice” practices, as social products of reform, always already operate within a context of normalization and panopticism, perpetuating the logics and understandings of capitalism and other hegemonic forces, while being embodied in reification and alienation (Foucault, 1990).

Power Produces Resistance

Following, we should also recognize the limited though not entirely deficient agency of the student and how such power concentrated on their bodies is then partially subverted, such that not all students will peacefully be socialized and trained to act within certain parameters of the law and codes of a society (Camus, 1991, p. 17; Willis, 1977, p. xii). Students manipulate their bodies in ways that would be considered non-acceptable in their own contexts. Students control their bodies in ways that go against the rules of the school and society in an effort to be rebellious or disruptive – taking their own definitions of humanity back from oppressive systems (Camus, 2012, p. 144), such that students disobediently hang out in the bathroom, using their bodies in the

bathroom or the absence of their bodies in the classroom to rebel against systems of control (Devine, 1996, p. 216-217).

Moreover, we need to realize that this “power” that students take advantage of is not the power that works through teachers or administrators but is rather limited to their bodies and their ability to disrupt biopolitics within the school – keeping in mind that though they may rebel against regimes of power, they may “not truly challenge the status quo” (bell hooks, 1994, p. 25; Camus, 2012). Thus, as we have seen before, the student does not wield any *power* (a power of control over others or social values) (Ellsworth, 1992) – only a subliminally contextualized power over their own body that is still tightly controlled within the sphere of school. Thus, the various “kinds” of restorative “justice,” as seen through, understood through and (re)constructed through hegemonies of alienation and objectification, will yield similar ways and means of rebellion through the physicality of the body (Hoy, 1981; Ewald, 1992, p. 173), while still perpetuating that same regimes of power that necessitate such rebellion. Thus, restorative “justice” not only perpetuates dehumanizing regimes of power but also becomes a self-replicating and self-propagating “liberal” piece of systemized logic within our own realms of understanding and reality (Gore, 1992; Foucault, 1995).

Critiques of Restorative “justice” Practices:

There are three main critiques that should be addressed when we interrogate restorative “justice” practices. First, we need to examine who is constructed as the object/subject of restorative “justice,” keeping in mind the always already present regimes of power that mold and continuously mold restorative “justice” practices. Second, we should recognize that the idea of restorative punishment (the democratizing rhetoric behind it) disguises hyper-socialization behind a hyper-liberalistic illusion – a system of “justice” built within a regime of regimes that dematerialize and reconstruct “justice” in terms of complementing hegemonies and ways of reification (Box, 2011). Subsequently, in line with the logic of always already being within a system of hegemonies, we should also complicate what is being restored in these restorative practices, keeping in mind the always already reifying systems of power that enact such power regimes.

Subject and Object of Punishment

In regularized punishment and discipline systems, the teacher/administrator is built as the subject of the punishment process (Allan, 1996): *they* decide what motive spurred on whatever action; *they* determine what historical trends of the student carry weight in the circumstance; and *they* ultimately decide what is to happen *to* the student (though this may not be totally understood as a teacher or administrator

acting *with* power so much as power acting *through* them) (Ellsworth, 1992, p. 298; Gore, 1992, p. 57; Cooper, 1994).

Moreover, in the various “kinds” of restorative “justice,” we have to realize that the practices involved are just as objectifying as the zero-tolerance policies, for in reality the logic of the punishment is always already the same – the practice is always already (re)created within the same social sphere and the same “reality.” The logic of the school punishment and the resultant discipline is always constructed as – student “mis”-“be’-haved” – the status quo needs to be restored after the student’s performative disruption – and then the punishment is dealt out. All that is changing in the variety of restorative “justice” contexts (Liebmann, 2007, p. 25; Gavrielides, 2007, p. 139; Holtham, 2009), or even ideally changing (barring the diagnostic and treatment-oriented way of dealing out “restorative” punishments mentioned earlier), is that the students will be “involved” in their own punishment. Thus, their positionality of relational powerlessness stays the same in these situations of control and subjugation, though the punishment becomes a forced-self-flagellation of sorts (Deacon, 2002); RJP may reorganize the regimes of truth that dictate action and punishment but the power stays the same. For instance, the student “agrees” to some punishment such as community service with administrators and teachers, and is thereby tasked with restoring the status quo by positioning their bodies and minds back within the normalized hierarchy; however, such actions are theoretically little different than the punitive forms of punishment that act on. To be clear, the student-object positionality within punitive forms of punishment is consistent with restorative “justice” practices. The practice itself, though masked in liberalistic rhetoric and touted as a “new” wave of school punishment reform, is still punishing some kind of “mis”-“be’-behavior”(defined in schools as a state of being, always already delinquent, and not human unless behaving a certain way); it is still objectifying and subjugating folks that “mis”-“be’-have,” destroying individual subjectivities and diminishing the effects of individual action and rebellion (Foucault, 1995, p. 50; Camus, 1991, p. 24). The *punishment* is always already, even in reference to restorative “justice,” (re)built within the context of hegemonies and reification (Butler, 1997, p. 17), though such punishment may look slightly different. Even more, within this context of these regimes of power, restorative justice becomes self-replicating and self-propagating within our logic of “liberal” reality and relative “goodness” (Foucault, 1995).

Hypersocialization and Cognitive Segregation

Following, hypersocialization is defined here as a hyperized socializing apparatus within an always already socializing apparatus. Though school has hidden curricula that “show” students how to operate within society, most of those lessons are hidden or subconsciously

transposed (Anyon, 1981). In a restorative “justice” practice, however, if a student “mis”-“be’-haves”, they “have” to realize both explicitly and implicitly that their actions were “wrong” – that they “mis”-“be’-haved” in the classroom; moreover, the restorative punishment would have revolved around them restoring the status quo of the classroom – which was embodied in controlling regimes of truth. Further, another reason why we may deem restorative “justice” practice more socializing than regularized systems of discipline and punishment, is that one the primary foci of punitive forms of punishment has to do with demonstrating the power of the sovereign (Foucault, 1995, p. 36; Rousseau, 2005, p. 16-18; Piekarska, 2000), such that the real motive for punitive forms of punishment is never wholly socialization but the maintenance of a perception of power within the classroom; however, restorative “justice,” is focused on hypersocializing students involved: showing the students both implicitly and explicitly what actions are “wrong” and which ones are “right,” representing which body movements are acceptable, and demonstrating how to act in certain contexts. Consequently, the primary focus of restorative “justice” is to perform a reinstatement of the status quo – to idealize how and why a beneficiary of a system of dominations can reinstate and restore performances of deviation or rebellion. In particular, as studies have shown (Bonta et. al., 2007, p. 113-115; Schweigert, 1999, p. 165-169; Ryals, 2011, p. 24), restorative “justice” practices: decrease recidivism (Bonta et. al., 2007, p. 113-115) (thus making it a more efficient way of socializing students into a society of power dynamics that “must be” learned), show an increase in moral development (Schweigert, 1999, p. 165-169) (though those morals may be based in capitalism, white hegemony, heteronormativity, and other dominating social values), and garner a relative motivation for change (Ryals, 2011, p. 24) (though that change is only restoring positions of power and the status quo that were originally disrupted by the challenges of the student). Though this hypersocialization is based in these liberalistic rhetorics as detailed above, we have to remember that students (some white students in particular, since not all white bodies are treated in the same ways) are only getting better at a particular type and kind of school – a particular type and kind of society.

Thus, these restorative systems chiefly exist to hypersocialize and to better the socialization of particular white folks into a system of dominations and society that are already aimed at privileging their bodies and minds above those of Othered folks (Delpit, 2006; Payne and Welch, 2015). Thus, I would further argue that one of the main reasons why restorative “justice” practices are introduced into schools is that the practices are primarily promoted and researched within white and economically advantaged schools to socialize white students with a greater understanding of white privilege, class privilege,

heteronormativity, and our society of dominations (Lustick, 2017, p. 309; Tracy, 1998, p. 276; Cook, 2006; Payne & Welch, 2015). Restorative “justice,” then, becomes yet another support system of domination and power itself – it limits itself to an already privileged set of communities and gives them an even greater ability to manipulate and maneuver within a society of dominations, recasting restorative as a self-perpetuating regime of truth upholding scenes of domination and oppression.

What is Being Restored?

At the base of restorative “justice” practices, something is always already being restored – an active and purposeful reestablishment of values and norms within the classroom supposedly on behalf of the student – though still constructed as the “delinquent . . . the strange [and fabricated] manifestation of an overall phenomenon of criminality” (Foucault, 1995, p. 253; Holtham, 2009; Gavrielides, 2007, p. 139). Within the various ideals of restoration, there is already a prefixed outcome of the process – no matter what form that process may take. For instance, the base logic of restorative “justice” is that something must be restored (Liebmann, 2007, p. 25; Braithwaite, 2002, p. 83) – that the power dynamics that were in place before some “mis”-“be”-havior” must be restored. Moreover, once the perceived power has been “used” and felt (the dosage delivered – a *punishment* or consequence), regimes of truth and perceptions of power have begun to be restored complemented by the complicity of those medico-judicial physicians in that school and the voluntary or non-voluntary participation of the student (Foucault, 1965, p. 182; Foucault, 1995, p. 190). Thus, the underlying logic within restorative kinds of “justice” is to restore the status quo that was disrupted by the student’s actions or “crimes” – to restore the feelings of false “safeness” enrapt in social values we can state, know, and operate within (Agger, 1991), thereby upholding and continuing those dehumanizing regimes of truth and power.

Conclusion

A (post)structuralist critical analysis of restorative “justice” hails us to understand that the whole host of restorative “justice” practices is just another form and another facet of a socializing project that indoctrinates folks into regimes of power and oppressive realities (Ewald, 1992). Instead of garnering subjectivities as part of the project of restorative “justice,” we instead continue to uphold and propagate regimes of power that are always already found within our society, making students into objects (Foucault, 1995). We continue to objectify students in discipline systems, and consequently, we induct them into a position of repression, dehumanization, and reification (Freire, 1968). Further, restorative “justice” (re)creates a cognitive segregation, such that primarily white

schools and economically advantaged schools have the opportunities to enact restorative “justice” practices (Payne and Welch, 2015, p. 542-545; Lustick, 2017, p. 309). Simultaneously, this separation of disciplines also *affects* the school’s always already implicit motivation of socialization. For instance, with restorative “justice,” schools reach a point of explicitly demanding socialization that spurs on my use of hypersocialization – trying to better socialize those students that are already privileged within a society of dominations. Moreover, when we finally ask what is being restored within these practices, we have to realize that a power found through rebellion is being restored to the regimes of power within the school (Braithwaite, 2002); the medico-judicial power is given back to the teacher and the administrators, and the hegemonic realities that were called into question are (re)stored within the community. The restoration that takes place is not humanizing; it is not liberating; and it is restoratively dominating of student’s bodies, minds, and potentialities. In the end, restorative “justice” is simply another educational reform that tries to convince us of the “social “justice” power of our educational system (Reese, 2002). We come to mistakenly believe that we could change a scheme of regimes of domination enough that it becomes something else and that restorative “justice” could change an entire societal investment in domination and regimes of power (Box, 2011) – even though the very practices of restorative “justice” were (re)created and supported by those same regimes of power and logic of socialization – even though the very nature of restorative “justice” and other such reforms are always already realized within organized hegemonies and reification (Agger, 1991; Ewald, 1992). At the same time, we need to continue to analyze schools through a poststructuralist lens to better understand how different parts of schooling and schools themselves uphold made-inherent inequities and societal inequalities. And though pointing to a reform and arguing that it is the “right” reform is obviously fraught with critical problems, I would rather argue that we should continue to deconstruct such reforms and ideas from a poststructuralist lens since it offers us a keen way to idealize and investigate power and the relational underpinnings of society and its regimes of truth and power.

REFERENCES

Agger, B. (1991). Critical Theory, Poststructuralism, Postmodernism: Their Sociological Relevance. *Annual Review of Sociology, 17*, 105-131.

Allan, J. (1996). Foucault and Special Educational Needs: A 'Box of Tools' for Analysing Children's Experiences of Mainstreaming. *Disability & Society, 11*, 219-234.

Annamma, S., Anyon, Y., Joseph, N., Farrar, J., Greer, E., Downing, B., et al. (2016). Black Girls and School Discipline: The Complexities of

Being Overrepresented and Understudied. *Urban Education*, 54, 1-32.

Anyon, J. (1980). Social Class and the Hidden Curriculum of Work. *Journal of Education*, 162, 67-92.

Ball, S. (2013). *Foucault, Power, and Education*. New York: Routledge.

Barton, C. (2003). *Restorative Justice: The Empowerment Model*. Anandale, Australia: Hawkins Press.

bell hooks (1994). *Teaching to Transgress*. New York: Routledge.

Blackford, H. (2004). Playground Panopticism: Ring-Around-the-Children, a Pocketful of Women. *Childhood*, 11, 227-249.

Bonta, J., Jesseman, R., Rugge, T., & Cormier, R. (2007). Restorative Justice and Recidivism: Promises Made, Promises Kept? In D. Sullivan, & L. Tifft, *Handbook of Restorative Justice: A Global Perspective* (pp. 113-115). New York: Routledge.

Box, R. (2011). Marcuse Was Right. *Administrative Theory & Praxis*, 33, 169-191.

Braithwaite, J. (1989). *Crime, Shame, and Reintegration*. Cambridge: Cambridge University Press.

--- (2002). *Restorative Justice & Responsive Regulation*. Oxford: Oxford University Press.

Brivot, M., & Gendron, Y. (2011). Beyond Panopticism: On the Ramifications of Surveillance in a Contemporary Professional Setting. *Accounting, Organizations and Society*, 36, 135-155.

Butler, J. (1997). *The Psychic Life of Power: Theories in Subjection*. San Francisco: Stanford University Press.

Camus, A. (2012). *Resistance, Rebellion, and Death: Essays*. New York: Knopf Doubleday Publishing Group.

--- (1991). *The Rebel*. New York: Vintage Books.

Claes, E., Foqué, R., & Peters, T. (2005). *Punishment, Restorative Justice and the Morality of Law*. Cambridge, UK: Intersentia.

Cook, K. (2006). Doing Difference and Accountability in Restorative Justice Conferences. *Theoretical Criminology*, 10, 107-124.

Cooper, D. (1994). Productive, Relational and Everywhere? Conceptualising Power and Resistance within Foucauldian Feminism. *Sociology*, 28, 435-454.

Deacon, R. (2002). An Analytics of Power Relations: Foucault on the History of Discipline. *History of the Human Sciences*, 15, 89-117.

Delpit, L. (2006). *Other People's Children Cultural Conflict in the Classroom*. New York: New Press.

Devine, J. (1996). *Maximum Security: The Culture of Violence in Inner-City Schools*. Chicago: University of Chicago Press.

Dews, P. (1984). Power and Subjectivity in Foucault. *New Left Review*, 144, 72-95.

Dzur, A. (2011). Restorative Justice and Democracy: Fostering Public Accountability for Criminal Justice. *Contemporary Justice Review*, 14, 367-381.

Elliot, E., & Gordon, R. (2013). *New Directions in Restorative Justice*. New York: Routledge.

Ellsworth, E. (1992). Why Doesn't this Feel Empowering? Working Through the Repressive Myth of Critical Pedagogy. In C. Luke, & J. Gore, *Feminisms and Critical Pedagogy* (pp. 90-116). New York, United Kingdom: Routledge.

Ewald, F. (1992). A Power without an Exterior. In T. Armstrong (Ed.), *Michel Foucault, Philosopher*. New York: Harvester Wheatsheaf.

Foucault, M. (1995). *Discipline & Punish*. New York: Random House Inc.

--- (1965). *Madness and Civilization: A History of Insanity in the Age of Reason*. New York: Random House.

--- (1990). *The History of Sexuality, Vol. 1: An Introduction*. New York: Vintage.

Fraser, N. (1981). Foucault on Modern Power: Empirical Insights and Normative Confusions. *Praxis International*, 1, 272-287.

Freire, P. (1968). *The Pedagogy of the Oppressed*. New York: Continuum International.

Gane, N. (2012). The Governmentalities of Neoliberalism: Panopticism, Post-Panopticism and Beyond. *The Sociological Review*, 60, 611-634.

Gavrielides, T. (2007). *Restorative Justice Theory and Practice: Addressing the Discrepancy*. Helsinki: HEUNI.

Giroux, H. (1981). Hegemony, Resistance, and the Paradox of Educational Reform. *Interchange*, 12, 1-26.

Gore, J. (1992). What We Can Do for You! What Can "We" Do For "You"?: Struggling over Empowerment in Critical and Feminist Pedagogy. In C. Luke, & J. Gore, *Feminisms and Critical Pedagogy*. New York, United Kingdom: Routledge.

Holtham, J. (2009). *Taking Restorative Justice to Schools: A Doorway to Discipline*. Tulsa, Oklahoma: Homestead Press.

Hope, A. (2009). CCTV, School Surveillance and Social Control. *British Educational Research Journal*, 35, 891-907.

Hoy, D. (1981). Power, Repression, Progress: Foucault, Lukes, and the Frankfurt School. In D. Hoy, *Foucault: A Critical Reader* (43-64). Oxford: Basil Blackwell.

Karp, D. (2001). Harm and Repair: Observing Restorative Justice in Vermont. *Justice Quarterly*, 18, 728-757.

Kumashiro, K. (2009). *Against Common Sense*. New York: Routledge.

--- (2012). *Bad Teacher!: How Blaming Teachers Distorts the Bigger Picture*. New York: Teachers College Press.

Lewis, T. (2010). The Surveillance Economy of Post- Columbine Schools. *Review of Education, Pedagogy, and Cultural Studies*, 25, 335-355.

Liebmann, M. (2007). *Restorative Justice: How It Works*. London: Jessica Kingsley Publishers.

Lorde, A. (2012). *Sister Outsider: Essays and Speeches*. New York: Ten Speed Press.

Losen, D. (2015). *Are We Closing the School Discipline Gap?* The Center for Civil Rights Remedies. Los Angeles: UCLA.

Lustick, H. (2017). Administering Discipline Differently: A Foucauldian Lens on Restorative School Discipline. *International Journal of Leadership in Education*, 20, 271-311.

Marcuse, H. (2002). *One Dimensional Man*. New York: Routledge.

Mayo, P. (2015). *Hegemony and Education Under Neoliberalism: Insights from Gramsci*. New York: Routledge.

McMahon, M. (1970). Positivism and the Public Schools. *The Phi Delta Kappan*, 51, 515-517.

Morris, A. (2002). Critiquing the Critics: A Brief Response to Critics of Restorative Justice. *British Journal of Criminology*, 42, 596-615.

Morrison, B. (2012). Restorative Justice: Pedagogy, Praxis, and Discipline. *Journal of School Violence*, 11, 138-155.

---- (2007). *Restoring Safe School Communities: A Whole School Response to Bullying, Violence and Alienation*. Annandale, Australia: Federation Press.

Noguera, P. (2003). Schools, Prisons, and Social Implications of Punishment: Rethinking Disciplinary Practices. *Theory into Practice*, 42, 341-350.

Payne, A., & Welch, K. (2015). Restorative Justice in Schools: The Influence of Race on Restorative Discipline. *Youth & Society*, 47, 539-564.

Piekarska, A. (2000). School Stress, Teachers' Abusive Behaviors, and Children's Coping Strategies. *Child Abuse & Neglect*, 24, 1443-1449.

Pitsoe, V., & Letseka, M. (2013). Foucault's Discourse and Power: Implications for Instructionist Classroom Management. *Open Journal of Philosophy*, 3, 23-28.

Postone, M., & Galambos, L. (1995). *Time, Labor, and Social Domination: A Reinterpretation of Marx's Critical Theory*. Cambridge: Cambridge University Press.

Reese, W. (2002). *Power and the Promise of School Reform: Grassroots Movements During the Progressive Era*. New York: Teachers College Press.

Rev. Dr. Thandeka. (2000). *Learning to be white*. Chicago: Bloomsbury Academic.

Rodriguez, N. (2005). Restorative Justice, Communities, and Delinquency: Who Do We Reintegrate. *Criminology and Public Policy*, 4, 601-629.

Rousseau, J. (2005). *The Social Contract*. New York: Barnes & Nobles Inc.

Ryals, J. (2011). Restorative Justice: New Horizons in Juvenile Offender Counseling. *Journal of Addictions & Offender Counseling*, 25, 18-25.

Schweigert, F. (1999). Learning the Common Good: Principles of Community-Based Moral Education in Restorative Justice. *Journal of Moral Education*, 28, 163-183.

Skiba, R. (2000). *Zero Tolerance, Zero Evidence: An Analysis of School Disciplinary Practice*. University of Indiana - Bloomington. Indiana Education Policy Center.

Skiba, R., & al., e. (2011). Race Is Not Neutral: A National Investigation of African American and Latino Disproportionality in School Discipline. *School Psychology Review*, 40, 85-107.

Slee, R. (1994). Finding a Student Voice in School Reform: Student Disaffection, Pathologies of Disruption and Educational Control. *International Studies in Sociology of Education*, 4, 147-172.

Suvall, C. (2009). Restorative Justice in Schools: Learning from Jena High School. *Harvard Civil Rights-Civil Liberties Law Review*, 44, 547-569.

Teske, S. (2011). A Study of Zero Tolerance Policies in Schools: A Multi-Integrated Systems Approach to Improve Outcomes for Adolescents. *Journal of Child and Adolescent Psychiatric Nursing*, 24, 88-97.

Umbreit, M., & Armour, M. (2011). Restorative Justice and Dialogue: Impact, Opportunities, and Challenges in the Global Community. *Wash. U. J. L. & Pol'y*, 36, 65-89.

--- (2010). *Restorative Justice Dialogue: An Essential Guide for Research and Practice*. New York: Springer Publishing Company.

Van Ness, D., & Johnstone, G. (2013). *Handbook of Restorative Justice*. New York: Routledge.

Vanborre, E. (2012). *The Originality and Complexity of Albert Camus's Writings* (2012 Edition ed.). Basingstoke, United Kingdom: Palgrave Macmillan.

Wald, J., & Losen, D. (2003). Defining and Redirecting a School-to-Prison Pipeline. *New Directions for Youth Development*, 99, 9-15.

Walgrave, L. (2013). *Restorative Justice, Self-interest Responsible Citizenship*. New York: Routledge.

Webb, T., Briscoe, F., & Mussman, M. (2009). Preparing Teachers for the Neoliberal Panopticon. *Educational Foundations*, 35, 3-18.

Willis, P. (1977). *Learning to Labor*. New York: Columbia University Press.

Wolosky, S. (2014). Foucault at School: Discipline, Education and Agency in Harry Potter. *Children's Literature in Education*, 45, 285-296.

Address for Correspondence

Brad Bierdz
Graduate Student ELPA
University of Wisconsin-Madison
Email: bierdz@wisc.edu