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9

What role for social scientific research in transformative justice?

Introduction

This chapter sets out how social scientific research can support transformative justice practice. The ideas presented here were developed along the course of my PhD (Hoddy, 2018), as an effort at making a contribution to the transformative justice agenda while grappling with emerging perspectives from transitional justice scholars critical of it. In particular, these criticisms have included observations about the vagueness of what's meant by terms like 'transformation' and 'structural violence' in the field; that transformative justice struggles to move beyond criticisms of transitional justice to focus on the settings where transformation is to take place; and a lack of clarity about the methods for securing transformative change. The ideas presented begin to respond to the first and second of these criticisms and suppose a number of things in relation to the third about methods. Following the agenda for transformative justice set out by Paul Gready and Simon Robins (2014), these are that transformative justice is a form community-based practice where individuals, groups and practitioners engage in advocacy work or activism for addressing issues of violence and harm and securing justice in transition. It is also understood that this entails work on critical consciousness-raising as processes through which individuals and groups come to view social arrangements and constraints on agency in a new light; where recognition is generated of the ways in which personal and individual problems are linked to broader socio-political contexts; and where individual and collective action is catalysed (Hoddy and Evans, 2020).

With this understanding of transformative justice in mind, the following outlines how a critical social science can support transformative practice. It is written with academic audiences in mind, although insights should be useful to practitioners and 'justice in transition' actors (social

movements, NGOs etc.) as well. These actors will occasionally engage in knowledge production activities of their own, applying and developing theories in ways that are not that dissimilar to academics (Lederach et al., 2007), employing similar methods, technical language and publication practices. The chapter begins by setting out a role for social scientific research, introducing the notion of 'critical theorising' and discussing some useful theoretical resources. The chapter moves on to consider methods and approaches and suggests that critical theorising is best located as an integral component in projects that are participatory and action-oriented. Finally, the chapter reflects on what the approach brings and in relation to some recent criticisms of transformative justice.

Critical theorising for practice

Simply put, one of the more useful roles for social research is to develop new knowledge about the structural and relational sources of violence and unmet need experienced by populations and groups in concrete settings (Hoddy and Gready, 2020). Doing so responds to new understandings of problems and problem closure in the field that have arisen through the reframing work of transformative justice, namely around the persistence of conflict and pre-conflict structures of injustice and their association with ongoing violence; and how justice and peace might be secured locally and through broader-based community involvement (Gready and Robins, 2014, 2017). Though there still remains little by way of practice or programming in transformative justice, developing new knowledge about the social systems where change is sought, how these systems disempower and constrain, and how these features might be challenged, may assist transformative practice in a number of respects. These include by shedding light on particular societal arrangements that might be modified or contested; by informing strategies for action; and by helping practitioners, including organisations, movements and groups, reimagine how things can be different from what they are.

The process for generating this knowledge for practice is what Paul Gready and I have termed 'critical theorising' (Hoddy and Gready, 2020). This involves academics, practitioners and communities combining empirical data and experiences on the ground with concepts and theories for developing explanations of harm that are relevant to community contexts and projects. The 'critical' in critical theorising, rather than denoting any old social science, is used very specifically to refer to the development of causal theories that draw on concepts from realist social theory and systems thinking. These concepts, as theoretical resources, facilitate the development of root cause explanations which account for social processes, social relations, structures, context and contingency, and which bring issues such as power, inequality, and oppression to the foreground.[1] Of central importance is a perspective on change as non-linear and occurring at the intersection of actors and their structured contexts. Social structural behaviour and conditioning, or the 'structural barriers' to transformative justice, are viewed as mediated by the ways social actors can provoke and capitalise on emerging spaces and opportunities – what Jessop (2008, p.30), has termed "conjunctural" moments – for effecting modifications and change to unjust systems that are otherwise difficult to transform. This intersection or dynamic between agents and their contexts is also reflective of how activists understand their own practice as one of organised actors (practitioners, organisations, movements and groups) that consciously and continuously assess their strategic contexts and seek to act on those assessments, strategically (Tarrow, 2011).

Theoretical resources for critical theorising

Key theoretical resources for assisting identification of the structural and relational roots of ongoing injustice are set out here. These resources are not discipline-dependent and can be applied in projects broadly across the social sciences and humanities. The process for

[1] From a purely methodological standpoint I have referred to this elsewhere as applied critical realism (Hoddy, 2019).

developing these explanations involves i) specifying the 'mechanisms' that generate violent or harmful outcomes; ii) the social structures that these mechanisms are associated with; and iii) the conditions under which these mechanisms produce particular effects. Mechanisms are at the centre of many of the problems that transformative justice is concerned with, such as structural and everyday violence. They are also at the heart of non-linear understandings of causation and change, where events or outcomes reflect the interactions of multiple mechanisms in 'open' social systems. As trans-empirical phenomena, structures and mechanisms cannot be directly observed but may be identified and explicated on the basis of their empirical effects or outcomes. In social theory, transformation refers to the modification or replacement of social structures.

Structures

Perhaps one of the core distinguishing features of transformative justice is its concern for the structural and systemic. Though these are yet to be clearly defined, what I see as 'structures' here are 'real' social entities with distinct powers to generate events, in this case harmful or violent events that may be routine or irregular. What makes a structure are various objects or practices, such as material resources, beliefs, norms, and rituals, that stand in relation to one another. Examples of structures include families, market systems and patronage networks. Structures enable human activities and are reproduced or changed and transformed by the actors implicated in them. They are therefore also the result of human activities.[2]

Mechanisms and conditions

The 'powers' of structures to behave in certain ways and their 'liabilities' towards certain kinds of change are what is referred to as 'mechanisms'. Though the term 'mechanism' in transitional

[2] As Bhaskar (2016, p.55) explains, "Social structure, then, is both the ever-present condition and the continually reproduced outcome of intentional human agency. People do not marry in order to reproduce the nuclear family or work in order to sustain the capitalist economy. The social world is nevertheless the unintended consequence (and inexorable result) of, as it is a necessary condition for their activity."

justice commonly refers to particular methods of justice delivery (trials, truth commissions etc.), it refers here to the "causal powers or ways of acting of structured things" (Bhaskar, 1998, p.187). Large agribusiness firms in post-conflict Colombia for example may be said to possess causal powers to drive rural peasant communities off the land in pursuit of particular economic objectives. In systems thinking, these powers may be referred to as the 'emergent properties' of a system (Mingers, 2014); that is, powers reflect the properties that are emergent from the structured entity in question, such as the control a firm has acquired over material and financial resources and knowledge to undertake extractivist development projects.[3]

Powers will be activated under particular 'conditions' and the effects they have is also mediated by other conditions or context. By 'conditions', what is meant is simply other mechanisms. For example, a firm's powers to displace peasant communities may be blocked by social mobilisation or the use or threat of legal action. Alternatively, they may remain unactivated in settings where legal protections for vulnerable communities are high. The systemic concept of 'feedback' is useful for explaining such non-linear behaviour and how outcomes can be negligible or long-term and significant. Mechanisms can combine to generate outcomes that are far reaching (positive feedback) or they may operate against one another to generate different effects altogether, leaving a system unchanged (negative feedback). As discussed below, systemic insights on feedback have been brought into realist social theory (Archer, 1995) for elaborating how social structures and systems are reproduced or transformed.

A final comment on mechanisms is that these exist at multiple scales, such as from the biophysical level in the case of natural structures to those associated with the global economy.

[3] The term 'powers' is being used here in a way that is distinct from understandings of power as authority, domination, control etc. – although the two may relate. Here, 'powers' refers to capacities or possibilities; while the more common usage describes structurally instantiated forms of domination, control, subjugation etc. (Morgan, 2006). We may describe the 'power' of one group over another as domination or subjugation and explain this relationship in terms of an unequal distribution of 'powers' that derive from the structural positions each group inhabits.

Grasping at the root causes of violence or need may require reference to a multiplicity of interacting mechanisms and structures across different 'laminations of scale' (Bhaskar et al., 2018). The ontological case for inter- and post-disciplinary research (Evans, this volume) can be made in these terms, where explanation requires reference to theoretical knowledge about a variety of structures and mechanisms that cannot be provided by a single discipline alone (Bhaskar et al., 2018). There are strong shades of this in Paul Farmer's well-known work on structural violence, which has been an important reference point in the emerging transformative justice literature (e.g. Evans, 2016). While not employing the language of 'mechanisms', Farmer's contributions harness anthropological, sociological and epidemiological knowledge to causally link the distribution and course of disease among some groups (and societies) to social structures and processes operating at other scales (e.g. Farmer, 2003).

Agency and transformation

Structures enable human activities and are also the result of those activities, but structural conditioning is always "mediated by the actuality or possibility of reflexive deliberation by the agent on the course of action to be followed" (Bhaskar, 2016, p.64; also Archer, 1995; 2003). People may benefit from social structures like the family or patronage networks, but resistance to, subversion of, or ultimate transformation of structures may follow when people "recurrently find themselves aggravated, restricted, oppressed, and dehumanized" (Smith, 2010, p.343). In systems terms, transformation occurs through positive feedback processes, where deviations in a system are provoked and amplified to produce significant change (Archer, 1995). For example, an exploitative and structurally violent system of rural production and exchange in a local setting may be fundamentally changed when peasant farmers acquire new associational powers by making collective alterations to their behaviour or practices. Such change may hinge on the insertion of new resources (or changes in their availability), such as new information, beliefs or materials. If structures are reproduced rather than transformed, what is entailed is a

form negative feedback where deviations from the status quo are eliminated and system stability or equilibrium is secured.

Methods and approaches

With some of the key theoretical resources outlined, this section discusses the design and methods for developing root cause explanations and how critical theorising best fits into participatory and action-oriented projects. In terms of research design, developing these explanations involves researchers and practitioners, ideally in collaboration with communities as co-enquirers, beginning with a problem or issue and attempting to explain why it is the case, or what must have caused it to happen, in reference to relevant structures, mechanisms and conditions. This mode of inference is called 'abduction' or 'retroduction' and involves abstracting from empirical data whilst drawing on existing theoretical knowledge and experiences of similar problems or issues from elsewhere. Abduction is a process of theoretically redescribing or recontextualising the issue or problem being looked at while retroduction involves "imagining a model of a mechanism that, if it were real, would account for the phenomenon in question" (Bhaskar, 2016, p. 55). Rather than holding truth status, propositions developed through retroductive enquiry are evaluated in terms of their 'practical adequacy', that is, where they generate "expectations about the world and about the results of our actions which are actually realized" (Sayer, 2010, p.47).

Methodological tools, techniques and procedures for undertaking retroductive enquiry include case studies (Parr, 2015); ethnography (Rees and Gatenby, 2014), discourse analysis (Sims-Schouten and Riley, 2007), critical grounded theory (Botha et al., 2020) and photovoice (Mukumbang and van Wyk, 2020). In transitional/transformative justice, Hoddy's (2019; also Hoddy and Gready, 2020) study with rural labourers in post-authoritarian Tunisia drew on grounded theory techniques and procedures for moving from participants' understandings of their lived experiences towards the structures and mechanisms underpinning ongoing harm. In

keeping with the need to theoretically redescribe or recontextualise emerging findings, this approach confronted and combined empirical data with concepts and theories from transitional and transformative justice, critical agrarian studies, agrarian political economy, and rural poverty studies.

While community engagement and action are not a requirement for developing new knowledge and theories in this way, critical theorising is best located as an integral component in transformative justice projects that are participatory and action oriented.[4] The critical action-reflection cycles at the heart of such projects can be assisted by theory-building processes that generate place-based assessments of a situation or problem and which allow goals to be identified and action planned (Houston, 2010; Friedman and Rogers, 2009; Ram et al., 2014). In figure 1, critical theorising occurs at the planning stage in an action-reflection cycle. At this stage, in what Houston (2010) has called 'retroductive assessment', preliminary hypotheses are formed by the enquiry or action group around the relevant mechanisms at play and are revisited and revised through new information and data, such as that shared through focus groups. Explanations generated by the group account for the "social constructions, structural conditions that constrain, and mechanisms that have the potential to operate in a more progressive manner" (Ram et al, 2014, p.219). These also provide a basis for reimagining how things can be different from what they are, such as when new understanding of the socially constructed nature of prevailing social hierarchies allows those involved to consider alternatives. Still in the planning stage, goals are set that are based on these hypotheses, the meanings actors give to events, and contextual factors that seem relevant (Houston, 2010). Concrete action is planned to realise these goals, with the remaining components of the cycle involving action on the basis of these

[4] The need to integrate theory and practice in social change work has long been recognised. In relation to action research for example, Kurt Lewin saw it as a means of generating "more precise theories of social change" (Lewin, 1946, cited in Dick et al., 2009, p.6). Paulo Freire's notion of praxis, which refers to processes of critical reflection by people on their realities and action taken to transform it, also counts on the integration of theory and practice.

goals and plans and observing what happens. Finally, these stages are followed by a reflective or evaluative stage. Theorising, goal setting and planning may then be reiterated through subsequent cycles.[5]

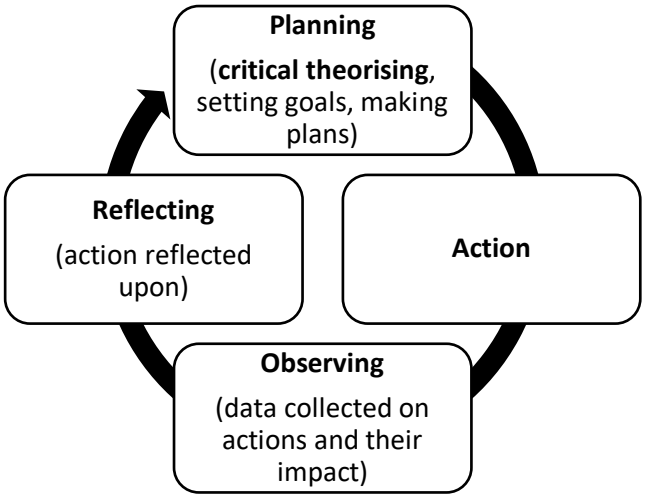

Figure 1. Critical theorising in the action-reflection cycle

Concluding discussion: Research for transformation

Calls for participatory and action-oriented approaches of this kind are not new in transitional justice. The few genuinely participatory projects there are in the field (e.g. Robins and Wilson, 2015; Robins, 2013) have shown how these are capable of confronting underlying assumptions, values and practices in the field as well as resisting demands for research to produce technical knowledge for improving policy and practice. Robins's (and Robins and Wilson, 2015) work is illustrative of how projects can allow victims to identify their own needs and priorities, challenge the power relations producing transitional justice discourse, and facilitate empowerment and the mobilisation of victims on their own terms. The transformative justice focus here adds something further: that a transformative practice seeking to address issues of structural and systemic violence must also involve evaluating, improving and possibly replacing initial theories and understandings that researchers, practitioners and participants or

[5] The action-reflection cycle in Figure 1 underlies the practice framework for transformative justice developed by Hoddy and Evans (2020). While the action-reflection cycle in Figure 1 is generic, the practice framework describes an overall approach to transformative justice for practitioners that is embedded in action-reflection cycles.

co-enquirers hold about such problems and the worlds they inhabit (Friedman and Rogers, 2009). Developing critical understandings of the deep and underlying structures and relations or systems shaping problems and circumstances, Freidman and Rogers (2009, p44) suggest, "is the first step in controlling them, rather than being controlled by them. The corollary of all this is that whatever tacit or explicit theories participants initially held may be seriously mistaken". Successive action-reflection cycles provide a framework though which these theories and the range of actions they inform are supplied with corrective feedback during each iteration.

The linking together of theorising and action through participatory and action-oriented projects may serve as a useful corrective to the field's main focus on measurements of success in transitional justice and its centredness around "internationally mobile and privileged 'experts' educated in the language of international norms and rights and able to draw on internationally legible models and assertions" (Jones, 2020, p.13). While the field is yet to agree on whether transformative justice represents something fundamentally new and different to transitional justice, knowledges of practitioners, academics and communities are brought into dialogue with differing or competing interpretations and theories adjudicated and revised through action-reflection iterations (see also Hoddy and Evans, 2020). By setting aside the concerns and priorities of the transitional justice field, knowledge and action responses in transformative justice will come to include perspectives on the ways the barriers to transformation and justice in local settings are nested in historical and macro-level structures and processes such as those belonging to the global economy and in legacies of colonialism and apartheid. The attention to 'social systems' in the research orientation set out in this chapter responds to demands for more thoroughgoing examinations of local contexts for transformation, but these should also bring to the surface how conflict, authoritarianism and patterns of violence are shaped by historical processes and change rooted in relations that go beyond the transitional societies in question (Hoddy, 2021). Questions for the field are raised such as around the relationships between

justice and peacebuilding on the one hand and neoliberal economics on the other; and around how the structures of knowledge production have meant some voices count more than others in transitional justice (Jones, 2020). A radical implication which follows is that the sites for transformative change may expand to include the institutions of global governance and centres of decision-making and knowledge production in the Global North.

This research orientation further offers a response to some of the critical commentary in transitional justice about how the context gap seems to reflect a bigger problem that change is much more difficult than transformative agendas acknowledge (e.g. McAuliffe, 2017; Sandoval, 2017; Sharp, this volume; Waldorf, 2019). Along with other concerns about the vagueness of transformative justice and the perceived lack of resources for affecting change, the gap is, for some, reason to think that transformative justice may have little to offer "other than more raised expectations and bitter frustrations" (Waldorf, 2019, p.163).

While expectations do need to be carefully managed, and change certainly *is* difficult, what is offered here is a systemic understanding of context and change that provides a more optimistic picture of the potential for social structural behaviour and conditioning to be contested, subverted and modified (Hoddy and Evans, 2020). The community practice emphasis of transformative justice has been criticised as a weak basis for doing this (e.g. McAuliffe, 2017; Waldorf, 2019). However, these criticisms may be reconsidered through a systemic perspective, which captures for example how small changes can provoke wider system impacts. Social movement actors, such as the international peasant movement La Via Campesina, have shown for instance how justice claims might be advanced by connecting grassroots initiatives with elitist global governance (Hoddy, 2021). In the development field, work around community-based adaptation has engaged with questions of how to catalyse change at and across scales for quite some time and may be a useful source of insight for planning and programming (e.g. Tiam Fook, 2017; Ensor and Berger, 2009).

Finally, the research orientation may provide a new entry point for exploring synergies and tensions with peacebuilding where systems and complexity insights have been applied (de Coning, 2018). In adaptive peacebuilding, practitioners, communities and people affected by conflict collaborate to "develop self-awareness of the causes and drivers of conflict in the system, through a structured, collaborative process of experimentation, selection and adaptation, to ultimately support the emergence of local resilient social institutions that can self-manage future tensions" (de Coning, 2018, p.13). Some questions that arise are whether resilient, self-organising systems that sustain peace may also depend on unjust structures, relations and practices. What tensions are encountered between modifying, removing and replacing unjust structures and relations and building peaceful systems or maintaining them intact, where peace is understood as the absence of physical violence? How can systemic insights (and complexity) help communities and practitioners navigate tensions such as these in practice?

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