
THE SYLLABUS AS A SOCIAL CONTRACT FOR RESTORATIVE JUSTICE

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The syllabus serves the role of dictator's manifesto in the classroom—imposing educational structures, rules, and penalties on students, while simultaneously promoting and protecting the academy's interests. This practice reinforces imbalances of power and authority rampant in the academy—particularly in terms of access, citizenship, and accountability. Alternatively, what about presenting the syllabus to students as a living social contract for restorative justice?

Restorative justice involves a *re-education*: (1) away from mechanical, punitive institutional structures (e.g. beliefs, policies, practices) that preserve and promote societal injustice; and (2) towards flexible, safe and collaborative structures that promote healing (Adamson and Bailie; Hopkins; Winn). Restorative justice procedure, based in our *common law* system—laws based on judicial rulings of courts—may provide a useful template. Common law consists of judicial opinions that are written by judges and include a disposition (the legal decision of the court) and concurring (agreeing with) and/or dissenting (disagreeing with) opinions of judges. This procedural structure is amenable to cooperative re-education on the syllabus as it incorporates both the "law" (the syllabus) in its current form, *and* critical legal arguments that, particularly in the case of dissenting opinions, allow for a reimagining of the "law" (the syllabus).

Imagine educators beginning a course by first inviting students to conceptualize the syllabus provided to them as similar to a legal disposition, created largely based on classroom governance precedent. Next, educators and students engage in open and critical analysis of syllabus content that are typically of greatest interest to students. They examine, for instance, attendance/lateness, grading, accessibility, and assessment policies. They then unpack how these policies have served to promote either injustice or healing in other classroom contexts (experienced and/or observed). They may additionally consider examples of relevant contemporary pedagogy theory/practice that challenge traditional classroom governance (e.g. flexible attendance/lateness policies, open educational resources, collaborative assessment). Finally, they work to synergize both educators' and students' unique values, perspectives, and experiences *and* reconcile these with syllabus policies they may concur or dissent with—inviting equitable buy-in to classroom governance.

Application of these ideas is expected to vary based on educational context (e.g. institutional barriers, student's level of experience, legal and logistical realities). Some educational contexts may be inappropriate for this type of activity (e.g. extra content heavy courses). Some aspects of the syllabus

may only realistically be changed through systemic change—institutional and/or legal—a noted limitation of this approach.

With mechanisms of power, once buried in opaque syllabus text, now revealed through open critical analysis—educators invite students into an alternative educational community where their rightful presence as academic citizens is underscored and celebrated (Tan and Barton). Co-imagined syllabi, as vehicles for seeding reimagined educational interactions and spaces, promote “radical healing” (Winn) through deliberate acts of redefining access, citizenship, and accountability in education and the academy. Thus, as a social contract for restorative justice, the syllabus can serve as a powerful linguistic and literary change agent in pedagogy theory and practice.

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