

TABLE 11.5

Retributive and Restorative Justice Assumptions

RETRIBUTIVE JUSTICE	RESTORATIVE JUSTICE
Crime is an act against the state, a violation of a law, an abstract idea	Crime is an act against another person or the community
The criminal justice system controls crime	Crime control lies primarily in the community
Offender accountability defined as taking punishment	Accountability defined as assuming responsibility and taking action to repair harm
Crime is an individual act with individual responsibility	Crime has both individual and social dimensions of responsibility
Punishment is effect: (a) Threat of punishment deters crime; (b) punishment changes behavior	Punishment alone is not effective in changing behavior and is disruptive to community harmony and good relationships
Victims are peripheral to the process	Victims are central to the process of resolving a crime
The offender is defined by deficits	The offender is defined by capacity to make reparation
Focus on establishing blame or guilt, on the past (did he/she do it?)	Focus on problem solving, on liabilities/obligations, on the future (what should be done?)
Emphasis on adversarial relationship	Emphasis on dialogue and negotiation
Imposition of pain to punish and deter/prevent	Restitution as a means of restoring both parties; goal of reconciliation/restoration
Community on sideline, represented abstractly by state	Community as facilitator in restorative process
Response focused on offender's past behavior	Response focused on harmful consequences of offender's behavior; emphasis on the future
Dependence upon proxy professionals	Direct involvement by participants

Source: Bazemore, G., & Umbreit, M. (1997). *Balanced and restorative justice for juveniles: Framework for juvenile justice in the 21st century*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention, p. 15.