

RETRIBUTIVE VS. RESTORATIVE JUSTICE

Retributive Justice	Restorative Justice
Crime is understood as an act against the state, a violation of a law	Crime is understood as an act against another person and the community
The criminal justice system controls and represses crime	Crime control lies primarily in the community, among its members
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 effective: <ul style="list-style-type: none"> · Threats of punishment deter crime · 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.
Focus on establishing blame or guilt, on the past (did he/she do it?)	Focus on the 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
Dependence upon proxy professionals	Direct involvement by participants

Rehabilitative justice is another term that we encounter when discussing different forms of justice; it refers to a justice system that puts the emphasis on rehabilitating the offender by various means, such as prison sentence, therapy, educational programs, etc. (pretty much what the current justice system seeks to achieve).

*This table is inspired by the table that can be found at:

www.cscsb.org/restorative_justice/retribution_vs_restoration.html