

# Restorative Justice And Social Healing: Psychological Foundations Of Alternative Dispute Resolution

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## **Abstract**

*In contemporary justice studies, restorative justice (RJ) can be viewed as a paradigm shift in terms of how society responds to wrongdoings, shifting the focus away from punishment to healing, accountability, and relationship restoration. Contrary to retributive mechanisms, which rely on punishment and deterrence, RJ seeks to restore damage done by fostering dialogue among victims, offenders, and the surrounding community. This paper will consider the psychological basis of RJ from the perspective of Alternative Dispute Resolution (ADR). Applying an interdisciplinary approach to RJ, the article will consider insights from the realms of psychology, criminology, and political philosophy in the discussion of how empathy, moral development, emotion recognition, and community involvement contribute to reconciliation and social healing. In order to provide normative theories of justice, the paper relies on works by John Rawls and Amartya Sen.*

**Keywords:** Restorative justice; social healing; alternative dispute resolution; empathy; capability approach; procedural justice

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## **I. Introduction**

Administration of justice in traditional settings was based on retributivist principles that focused on punishment, deterrence, and imposition of rules via adversarial procedures. Although this kind of system worked well in maintaining order, it has faced criticism due to its failure to adequately attend to psychological, emotional, and relational effects that arise from victimisation of parties involved in criminal acts, including offenders themselves (Braithwaite, 1989; Zehr, 1990). Most of the victims remain traumatised and marginalised, offenders lack awareness regarding the human effects of their actions, and community cohesion is negatively affected.

With these challenges in mind, restorative justice (RJ) has arisen as a paradigm that focuses on rehabilitation, accountability, and restoration of order through healing. In RJ practice, a crime is seen not only as a breach of law but as harm done to an individual or a relationship (Zehr, 1990). RJ encourages participative approaches, such as victim-offender mediation, conferences, and restorative circles (Marshall, 1999; Umbreit et al., 2005).

Research shows the efficiency of RJ in raising victims' satisfaction, lowering their fears and aggression, and encouraging offender accountability (Sherman & Strang, 2007; Strang et al., 2013). Moreover, RJ is in line with modern social psychology and moral philosophy trends that place special emphasis on empathy, justice, and social bonds in the process of implementing justice (Tyler, 2006).

The purpose of this paper is to consider psychological aspects of restorative justice, as well as the implementation of RJ principles within ADR models. Using findings of research on the role of psychology in restorative justice, the current discussion attempts to provide a better understanding of the contributions of RJ to social healing.

## **II. Theoretical Foundations Of Restorative Justice And Social Healing**

The theoretical foundations of restorative justice (RJ) and social healing can be characterised by an intersection of different fields, including psychology, sociology, ethics, etc. Instead of considering crime as a violation of law, RJ views crime as a form of injury to individuals, society, and communities. This is why the theoretical underpinnings of RJ include such elements as repairing the harm, dialogue, accountability, development of empathy, a participatory approach to justice, and relationship transformation towards social well-being.

### **Relational Theory of Justice**

Restorative justice is inherently based on the theory of relational justice. The basis of this theory is to see the act of crime as an interruption to the relationship between the people involved in the offence (**Zehr, 1990**). According to this theory, justice will be done only when damage is repaired and when relationships are restored between the people involved in the offence. This can be understood from sociological and psychological theories about relationships and how it affects identities, actions and well-being of the individuals. **Van Ness & Strong (2015)** also state that justice processes should meet the needs of all three stakeholders, i.e., victim, offender and community, at the same time.

### **Reintegrative Shaming Theory**

**Braithwaite's (1989)** concept of reintegrative shaming offers an important theoretical explanation of how societal reactions to criminal acts affect future behaviour. Reintegrative shaming differs from stigmatising shaming in its condemnation of the deed without stigmatising the perpetrator. The RJ model follows the principles of reintegrative shaming by enabling offenders to recognise the damage caused and accept personal responsibility in a positive environment. In this way, accountability can be achieved while protecting human dignity, leading to reintegration. Studies have shown that reintegrative models correlate negatively with recidivism because they promote strong social connections and prevent feelings of exclusion.

### **Social Learning Theory**

The social learning theory assumes that behaviour is learned through observation, imitation, and interactions in social environments (**Bandura, 1977**). RJ practices apply this theory by offering the offenders an opportunity to interact with victims and community members. As a result, the offenders can see the direct effect of their deeds. The RJ practices become a form of learning experience during which they increase their moral sensibilities and empathy. Moreover, the participants of the RJ practices learn from the constructive interactions that take place in such settings and model their own behaviours according to these practices.

### **Moral Development Theory**

The theory of moral development by **Kohlberg (1984)** can be used as a developmental approach to the ethical implications of the RJ. According to this theory, people grow morally when they move from stage to stage of moral reasoning, beginning with obedience to authority up to principled reasoning that uses universal ethical principles. The RJ practices support such an approach by making the participants think about the issue of harm, responsibility, and justice. In contrast to the punitive approach, the RJ offers an opportunity to consider other people's views and act accordingly because of inner moral reasons.

### **Empathy-Altruism Hypothesis**

According to the empathy-altruism hypothesis, people are likely to engage in altruistic actions when they have empathic concern towards the well-being of other individuals (**Batson, 2011**). Restorative justice practices involve storytelling, active listening, and perspective-taking. By hearing from the victim how he or she was affected by the crime committed by the offender, the offender may feel empathic concern towards the victim, hence showing true remorse. The same goes for the victim because he or she may have a different perception of the offender. As such, RJ is likely to develop mutual empathy among all parties.

### **Forgiveness and Emotional Healing**

Forgiveness is an emotional process that involves compassionate action, empathic concern, and letting go of negative emotions such as anger in order to achieve emotional healing (**Enright & Fitzgibbons, 2015**). In RJ, victims get to express themselves, get acknowledgement about the wrongdoing done against them, and forgive the offender if necessary. The process is likely to heal emotionally because of the feeling of emotional liberation. On the offender's side, he or she feels accepted or forgiven, which may result in moral transformation and prosocial identity.

### **Social Identity and Reintegration**

Social identity theory asserts that one gains his/her identity from group associations, where acceptance or rejection has a great effect on behaviour and self (**Tajfel & Turner, 1979**). The restorative justice approach seeks to reintegrate the offender into the community as a member of that community, even as his/her offence is dealt with. RJ ensures that the offender does not feel alienated or stigmatised but accepted back into the community. RJ ensures that he/she gets the opportunity to rebuild his/her social identity and avoids committing further deviant acts.

### **Procedural Justice Theory**

This theory places emphasis on such factors as fairness, voice, neutrality, and respect during processes involving individuals (Tyler, 1990). When one is involved in a process and feels that there was justice in the whole process and respects were accorded to him/her during the process, then he/she is likely to view the outcome of that process as legitimate. The restorative justice process entails giving everyone in the process a voice and respecting one another.

### **Humanistic Psychology**

The field of humanistic psychology, especially the teachings of Rogers (1961), highlights empathy, authenticity, and unconditional positive regard as prerequisites for personal development. In RJ practices, the creation of a safe space enables people to freely share their experiences and emotions, in line with the values of humanistic psychology. RJ practitioners usually embrace a nonjudgmental attitude that encourages people to explore themselves and their surroundings.

### **Capability Approach**

Sen's (1999) capability approach considers justice through the prism of enhancing human freedom and capabilities. The concept of restorative justice is consistent with the notion of social development because it encourages people to take an active part in resolving disputes and shaping outcomes that satisfy their needs. The practice of RJ helps develop agency, engagement, and dialogue skills, which promote personal growth and social development.

### **Justice as Fairness**

The idea of justice as fairness by Rawls (1971) is based on the principles of equality, impartiality, and protecting individual rights. Restorative justice can be seen as implementing these ideas through providing equal participation opportunities for all stakeholders – victims, offenders, and members of the local community. RJ ensures that the interests and needs of parties directly involved in the process receive priority treatment, which allows for achieving equity and taking into account the particular circumstances of a case.

### **Integrative Model**

All of these different theoretical models together create an integrated model for comprehending restorative justice and healing. The integrative model is multidimensional and includes various aspects such as cognitive (moral reasoning), affective (empathy, forgiveness), social (relationships, identity), developmental (growth, learning), and normative (justice, fairness). By integrating knowledge from multiple fields, the theory of restorative justice provides a comprehensive approach to issues associated with justice that focuses on healing, responsibility, and transformation.

## **III. Literature Review**

Restorative justice (RJ) stresses communication, responsibility, and healing, creating an atmosphere for psychological recovery and unity. Based on concepts of moral development and social connections, restorative justice seeks to shift the focus from retributive justice towards healing through empathic relations, responsibility, and restoring broken relations. Research has shown that RJ interventions can lower recidivism rates while making victims happier because of healing emotional damage and participation in the justice process (Braithwaite, 2002; Sherman & Strang, 2007). The effectiveness of RJ corresponds to trauma-sensitive and reconciliation methods that emphasise dignity, participation, and well-being.

### **Theoretical Background of RJ and ADR**

Restorative justice is one of those innovations that help to shift the focus from punitive legal systems to relational and reparatory justice models, emphasising healing rather than punishment (Gumz & Grant, 2009). RJ is based on communitarian ethics and practices of indigenous peoples, who value collective peace and responsibility above all. Mediation, victim-offender dialogue, and family group conferences have become some of the alternative dispute resolution techniques used as models of RJ implementation (Umbreit et al., 2005).

### **Psychological Mechanisms**

The psychological aspects of restorative justice include empathy activation, moral reasoning, and expression of emotion. Dialogic interaction enables perspective taking, accountability, and healing, and minimises anger and trauma. They contribute to identity construction, social integration, and prosocial conduct. They ensure that the offender returns to society and reduces recidivism.

### **Social and Moral Psychology**

RJ mechanisms trigger essential principles of social and moral psychology such as empathy, moral reasoning, and prosocial behaviour. The RJ mechanism makes the offender understand the effects of his criminal activities on people. Victims participate actively during the process and feel validated and empowered. It promotes cooperative values and fairness perception and ensures sustainable conflict management (**McAuliffe et al., 2025; Tyler, 2006**).

### **Trauma and Healing**

Restorative justice mechanisms embrace the principle of being trauma-informed. They acknowledge the psychological injuries caused to the victim and the community. The offender can express his emotions and restore his sense of control and construct meaning out of the harm suffered. Research suggests that participating in RJ processes decreases PTSD symptoms, anxiety, and anger, and increases emotional healing and closure (**Lloyd & Borrill, 2020; Nascimento et al., 2023**).

### **Identity and Reintegration**

RJ helps achieve identity reconstruction by allowing offenders to transcend stigmatisation and reintegrate into society. By acknowledging the damage done to victims and making reparations, offenders gain a pro-social identity and sense of responsibility. This integrative mechanism helps reduce shame and leads to behavioural changes, which lowers the chance of committing further crimes (**Braithwaite, 1989**). At the same time, communities are vital for accepting and supporting the process of reintegration.

### **Empirical Support**

Empirical research has shown that restorative justice raises victim satisfaction and allows for emotional healing, along with increasing feelings of fairness. Offenders feel more accountable and less likely to offend again, whereas communities gain from increased social cohesion. Empirical evidence, including meta-analysis and experiments, confirms its efficiency as an alternative to punitive justice.

### **Victims**

Several empirical investigations found that victims involved in the process of restorative justice reported much higher levels of satisfaction than those dealing with conventional justice systems. They felt emotionally healed and safer, with a feeling of justice done to them. A chance to speak out and get acknowledgement is instrumental for psychological well-being (**Sherman & Strang, 2007**).

### **Offenders**

RJ interventions have been linked to an increase in offender accountability and a decrease in reoffending. With victim involvement encouraged by RJ, the offender feels obliged to take responsibility and change his actions. Meta-analysis studies have proven that RJ interventions significantly decrease recidivism (**Latimer et al., 2005**).

### **Communities**

Through involving key stakeholders in the resolution process and emphasising common values, RJ increases community cohesion. Community participation helps develop social capital, collective efficacy, and trust, making for stronger and more cohesive communities (**McCold & Wachtel, 2018**).

### **RJ and Social Healing**

Social healing occurs through RJ, where narrative reconstructions and reconciliation happen among the involved persons. Through conversations, people make sense of their experiences, mend relationships, and regain trust. The process helps heal communities in cases of societal issues like systemic injustice (**Zehr, 2015**).

### **RJ and ADR**

By bringing emotional, relational, and moral aspects to conflict resolution processes, RJ can be seen as an improvement to ADR systems, which are mainly about negotiations. By extending the concept of dispute resolution to healing, accountability, and reintegration, RJ provides an enhanced approach (**Umbreit et al., 2005**).

RJ offers a psychologically based theory of social healing through the incorporation of aspects such as empathy, accountability, and community involvement. Its similarity to other ADR practices and being a trauma-informed intervention make it pertinent in terms of effectiveness compared to traditional justice systems for fostering healing at personal and societal levels.

#### IV. Comparative Analysis

In restorative justice studies, a comparative analysis involves the systematic comparison of restorative procedures against retributive ones, considering psychological, social, and procedural factors. Such comparison measures aspects such as victim satisfaction, offender accountability, empathy generation, and reintegration into the community (Braithwaite, 2002; Zehr, 2015). The application of constructs of social psychology, like that of moral and emotional growth, in this analysis allows for a critical evaluation of social healing and conflict transformation (Sherman & Strang, 2007).

Dimension	Retributive Justice	Restorative Justice	Capability-Oriented Justice
Core Idea	Punishment	Repair harm	Expand capabilities
View of Crime	Legal violation	Harm to relationships	Loss of freedoms
Victim Role	Limited	Central	Agency restoration
Offender Role	Passive	Active	Rehabilitation
Community Role	Minimal	Participatory	Supportive
Psychological Focus	Deterrence	Empathy & reconciliation	Empowerment

#### V. Conceptual Framework

The theoretical foundation of the current research combines the principles of restorative justice with those from the field of psychology related to social healing, explaining the benefits of an alternative dispute resolution system as a source of positive effects on individuals' and groups' well-being. The core principle of restorative justice is dialogue, accountability, and reparation, rather than punishing offenders, as emphasised by Zehr (2002). From a psychological perspective, the concept corresponds to emotional coping, empathy building, and reconciliation, allowing one to cope with experiences of trauma and achieve positive outcomes (Braithwaite, 2002).

Social identity theory and traumatology approaches are applied to further elaborate on the nature of conflict situations and restorative mechanisms. According to Tajfel and Turner (1979) and Herman (1992), conflicts are believed to challenge the sense of identity among both individuals and groups, whereas restorative practices restore their integrity. The mechanisms of narrative sharing, offenders' responsibility, and community engagement become mediating variables influencing emotional closure and promoting prosocial behaviour.

#### VI. Discussion

This study focused on restorative justice (RJ) as an example of psychologically-based approaches in the realm of alternative dispute resolution (ADR), with specific attention drawn to the concept of social healing through RJ. Thus, the results obtained indicate the importance of RJ in representing a major paradigmatic change towards relational and reparative concepts of justice. This corresponds to the basic idea put forward by Zehr (1990), who states that a crime should be considered as an offence against a relationship and not against the law. By focusing on harm, accountability, and restoration, restorative justice is closely connected to psychological approaches to conflict resolution.

Speaking about the connection between psychology and RJ, one should pay attention to such constructs as empathy, moral development, and social identity. Through mediation and conferencing, restorative processes provide an opportunity to participate in dialogue and exchange points of view, leading to the reconstruction of social identity. Such processes promote mutual understanding and help restore damaged relations between participants of a dispute (Braithwaite, 1989; Sherman & Strang, 2007). In addition, RJ applies the principle of reintegrative shaming rather than stigmatisation, highlighting psychological aspects of crime and offender rehabilitation.

Furthermore, the findings also illustrate that restorative justice has substantial psychological impacts on victims as participants. Studies show that victims participating in the restorative process are more satisfied, feel less fearful, and feel a higher degree of closure than those involved in traditional forms of justice (Latimer, Dowden, & Muise, 2005; Strang et al., 2013). According to theories of trauma recovery, all of these positive results can be achieved due to the process of giving voice, validation, and empowerment to participants. In other words, by involving victims in the discussion of the case, the restorative procedure covers some important emotional aspects.

Moreover, the impact of the process on offender behaviour cannot be overlooked. First, the involvement of the offender in the process of acknowledging the wrongdoing and confronting the victim encourages the process of moral reflection and taking responsibility, which are essential steps for desistance (Maruna, 2001). Second, contrary to punishing offenders, the restorative process promotes the construction of a positive self-concept and reintegration into the community, which is another step towards behavioural transformation.

Furthermore, the larger implications of restorative justice in relation to social healing cannot be overlooked. Through promoting dialogue and reconciliation, RJ helps restore trust and cohesion in the community. Indeed, the significance of such a communal approach cannot be underestimated, especially where

there has been social fragmentation or collective trauma experienced. It is worth noting that the applications of restorative processes extend beyond criminal justice and can be successfully utilised in various settings, from schools and workplaces to conflict resolution and peace-building programs. **Llewellyn and Howse (1999)** provide examples of RJ programmes implemented successfully in various contexts, while **Umbreit, Vos, Coates, and Lightfoot (2005)** demonstrate how the approach can be adapted culturally.

Despite the significant contribution of RJ in facilitating the process of healing among individuals and in communities, there are some challenges associated with its implementation. Among others, power imbalances, lack of voluntariness and the risk of retraumatization require close attention to ensure ethical practice (**Daly, 2006**). Furthermore, introducing restorative justice in legal frameworks can prove to be difficult as it often faces opposition from those accustomed to the retributive justice system.

However, there are several methodological problems regarding existing studies on the topic of restorative justice. Despite the abundance of research that highlights its advantages, there are differences in terms of methodologies and variables used, making the results difficult to generalise. There have not been enough longitudinal studies that would examine the long-term impact of RJ on the psychological well-being and rates of recidivism of those involved (**Sherman & Strang, 2007**). In addition, it is necessary to conduct research about how different groups of offenders, victims, and their communities respond to restorative measures.

Overall, as the discussion shows, restorative justice can be considered a psychologically and socially appropriate practice of addressing conflicts. The focus on empathy, responsibility, and restoration is essential for meeting the basic psychological needs of people and restoring relationships. Although there might be some limitations to this approach, there is enough evidence to show that it is quite promising for dealing with disputes and bringing justice.

## VII. Conclusion

Restorative Justice is shown by the current research as an important paradigmatic shift, away from the retribution philosophy and towards a more relational and psychological approach to justice. Based on basic concepts of empathy, accountability, and social connectedness, restorative justice fits well within the theoretical framework of psychology, in terms of morality, affective development and interpersonal skills.

The analysis shows that restorative approaches to justice are consistent with human tendencies when it comes to reacting to wrongful behaviour, namely, the need for apology, restoration and reconciliation. From a psychological perspective, it is argued that humans have an innate drive to bring social balance after being wronged, which is provided for by the process of restoring justice (**Nathanson, 2007; Sullivan & Tift, 2001**). The opportunity to meet directly with the other party involved allows expressing the feelings that were experienced during the conflict and validating personal experience.

It should also be noted that empirical research suggests the positive impact of restorative justice on the psychological state of victims and offenders. In particular, victims frequently report less anger and fear, as well as fewer symptoms of post-traumatic stress, alongside improved feelings of closure and empowerment, while offenders exhibit increased levels of responsibility, moral insight, and reduced tendencies toward re-offending (**Braithwaite, 2002; Sherman & Strang, 2007**). It is worth emphasising that these benefits can be considered therapeutic, thus making restorative practices relevant in relation to mental health issues.

Finally, the notion of social healing becomes another crucial element in the theory of restorative justice. Since community members are actively engaged in this process and are encouraged to take part in it collectively rather than individually, the focus shifts from the resolution of an individual problem to the restoration of social ties. This idea is aligned with socio-psychological theories that emphasise the importance of belonging and social integration for the well-being of a person and his or her reluctance to commit antisocial actions (**Tyler, 2006**).

By integrating restorative justice into ADR models, their efficiency is increased by incorporating knowledge from psychology in the process of dispute resolution. This will enable deeper involvement of the parties in conflict, mutual comprehension, and sustainability of the results of resolving the dispute. Yet, implementing the methods of restorative justice in a particular case calls for taking into account the situational context, culture, institutions involved, as well as providing appropriate training and ethics.

To conclude, restorative justice is an innovative scientific and social theory of dispute resolution based on psychological ideas about healing, empathy, and reconciliation. It emphasises the importance of the restoration of harmony between conflicting individuals and seeks to promote social engagement through the involvement of all parties. Restorative justice is an integral part of the modern judicial system and cannot be viewed in isolation from it.

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