Restorative justice and the active victim: exploring empowerment

4 authors, including:

Ivo Aertsen
KU Leuven
44 PUBLICATIONS   **165** CITATIONS

Daniela Bolivar
KU Leuven
21 PUBLICATIONS   **64** CITATIONS

Some of the authors of this publication are also working on these related projects:

Project   Restorative Justice: An International Journal   View project

Project   The International Journal for Restorative Justice   View project

Restorative justice and the active victim: exploring the concept of empowerment

Ivo Aertsen
Daniela Bolívar
Vicky De Mesmaecker
Nathalie Lauwers*

*T*his paper departs from the observation that the victim image leading public discourse has transformed in recent years: increasingly victims reject the traditional victim label implying helplessness and dependency to adopt the image of the emancipated victim that wishes to participate in the criminal proceedings. Restorative justice at first sight provides an answer to these emancipated victims' wishes, offering them participation in criminal proceedings. Yet, using the concept of empowerment as an example and the community psychology perspective as a theoretical reference, our analysis suggests that restorative justice uses a restricted definition of empowerment: it reduces empowerment to developing self-confidence and new understandings of the offence, neglecting the behavioural component of empowerment. This characteristic of restorative justice seems to deny victims' capacities to promote social change and inhibit them from reaching true empowerment.

Keywords: *restorative justice, victims, empowerment, community psychology.*

---

*   Prof. dr Ivo Aertsen is a professor at the Leuven Institute of Criminology. E-mail: Ivo.Aertsen@law.kuleuven.be

Daniela Bolivar is a PhD-researcher at the Leuven Institute of Criminology. E-mail: Daniela.Bolivar@law.kuleuven.be

Vicky De Mesmaecker is a PhD-researcher at the Leuven Institute of Criminology. E-mail: Vicky.DeMesmaecker@law.kuleuven.be

Nathalie Lauwers is a PhD-researcher at the Leuven Institute of Criminology. E-mail: Nathalie.lauwers@law.kuleuven.be

Introduction

Since victimisation became an aspect of everyday life (Garland, Sparks, 2000: 199-200; Garland, 2001: 106) the victim of crime has become a strong symbolic construct (Garland, 2001: 11; Kearon, Godfrey, 2007: 29). The victim today has a representative character (Garland, 2000: 351). In recent years, the victim image reigning in society and leading victim support and victim advocacy work has thoroughly transformed. The traditional Western conception of victimhood, assigning to victims negative traits relating to passivity such as pain, grief, trauma, suffering, loss, weakness, loneliness, helplessness, dependency and lack of competence and capacity (Rock, 2002: 14; Zehr, Mika, 1998: 48) has been replaced by the 'emancipated victim', ready and willing to master its own faith. Increasingly, victims reject the traditional conception of crime victims as passive entities and outsiders to the criminal proceedings. Becoming a victim involves a self-confident cognitive process, a choice by the person who was victimised to accept and adopt the status of victim and to give meaning to the experience (Dignan, 2005: 30; Strobl, 2004: 296). More and more victims today reject the traditional victim label; they demonstrate that victims possess considerable inner strength and are much more resilient than is generally thought. Whereas traditionally, victims were expected to remain silent, to accept and to not interfere in the criminal proceedings, the role of the victim vis-à-vis the criminal justice system has been fundamentally reordered. The traditional image of the crime victim as a passive person suffering in silence is highly contested by victims urging for a participatory role. Victims, so we witness, become active. They seek a new identity and a new social role (van Dijk, 2006: 3). 'Vulnerability' is replaced by 'resilience' and 'empowerment'. Empowerment is the key word; victims reject the traditional victim label because it implies that they passively wait and see how the criminal justice system handles 'their' crime. These victim voices increasingly are attended to by legislative provisions on national and international levels, which have vested rights in victims to participate in the criminal proceedings.

In this paper we probe into how restorative justice approaches relate to this evolution in the victim image. In order to do this, we present a conceptual exercise. Specifically, we analyse how the concept of empowerment is interpreted in the context of restorative justice. Doing so will allow us to clarify the victim image that restorative justice endorses in practice. At first sight,

restorative justice clearly promotes the emancipated victim image: it offers active victims a chance to actively participate in mediation and conferencing practices. Yet, we find it is time to explore more in depth this so-called 'active' role of victims in restorative justice, and thus advance the question: how, more precisely, is the active victim conceptualised in restorative justice? The reason we ask this question is that although research has repeatedly shown high degrees of willingness by victims to participate in mediation and conferencing, high rates of satisfaction with the process and the outcome, and distinct psychological, emotional and social benefits (Aertsen, Peters, 1998; Gustafson, 2005; Shapland et al., 2007; Strang, 2002; Umbreit, 1989; Umbreit, Coates, Vos, 2004; Wemmers, 2002), important concerns related to the victim's position have been expressed by both practitioners and researchers as well (e.g. Daly, 2004). Victim support workers and victim advocates have questioned the benefits for victims when participating in restorative justice processes and have expressed doubts about the psychological costs for them. In some cases, negative effects on victims have been observed. Examples include that victims may feel pressured to participate in mediation, may feel intimidated during the mediation and that the focus on the offender may cause secondary victimisation (Morris et al., 1993; Groenhuijsen et al., 2008). It is, in other words, premature to accept the popular assumption that restorative justice truly empowers victims as a given. The doubts that have been expressed suggest that this is, to the contrary, not at all self-evident. The question therefore rises whether restorative justice in practice indeed promotes true empowerment, and thus implicitly, what 'empowerment' means. This is the question we take up in this paper. This article is mainly a conceptual one, not intended to present empirical evidence on victims' experiences, but aiming at preparing the stage for further research. Being a conceptual effort, based on literature review, it runs the risk of generalisation and simplification. Yet we are well aware that there is no such uniform entity as 'the victim', nor is there just one 'restorative justice'.

The case of empowerment

The central position of empowerment in restorative justice theory

Empowerment has become a central concept within restorative language. It has been described as a value (Ashworth, 2002: 584; Braithwaite, 2003: 9; Van Ness, Strong, 2006: 49), a goal (Barton, 2000: 55; Bush, Folger, 1994: 84; McCold, 1996: 97), an expectable outcome (Dzur, Olson, 2004: 96; Umbreit, 1994: 93; Zehr, 2005: 194) and an intrinsic element of the restorative process (Barton, 2000: 65; Bush, Folger, 1994: 87; Larson, Zehr, 2007: 47). Empowerment has also been considered a "fundamental procedural safeguard" that restorative justice must prioritise in its practice (Braithwaite, 2003: 8). Others have suggested that restorative justice depends on empowerment to succeed, that is, that restorative justice has failed if the stakeholders to the offence do not experience empowerment after having participated in a restorative programme (Barton, 2000: 70; Strang, 2004: 97).

The reason for the central position of the concept of empowerment in restorative justice theory is perhaps the fact that 'empowerment' seems to grasp the heart of the restorative ideology. The concept offers an answer to two critical issues in restorative justice theory: a) the criticism towards a criminal justice system that disempowers individuals (Barton, 2000: 55), taking away the conflict from them (Christie, 1977), and b) the fact that feelings of powerlessness experienced as a consequence of the criminal act must be addressed in order to achieve reparation (Van Ness, Strong, 2006: 44; Zehr, 2005: 194).

Defining empowerment

In restorative justice literature, empowerment has been mentioned with regard to victims, offenders and communities, that is, with regard to all three stakeholders of an offence (McCold, 1996: 97). With regard to victims, Barton (2000: 65) has described empowerment as the action of meeting, discussing and resolving criminal justice matters in order to meet material and emotional needs. To him, empowerment is the power for people to choose between the different alternatives that are available to resolve one's own matter. The option to make such decisions should be present during the whole process. Van Ness and Strong (2006: 49) add that empowerment is the "genuine opportunity to participate in and effectively influence the response

of the offence". To Zehr (2005: 194), being empowered means for victims to be heard and to have the power to play a role in the whole process. It also means that victims have the opportunity to define their own needs and how and when those needs should be met. According to Strang (2004: 97), being informed about both the developments in one's own judicial case and the alternatives that may follow is also an opportunity for empowerment. Larson and Zehr (2007: 48) explain empowerment as the power to participate in the case but also as the capacity to identify needed resources, to make decisions on aspects relating to one's case and to follow through on those decisions. Toews and Zehr (2003: 263) describe victim empowerment as the possibility to be heard, to tell one's story and to articulate one's needs. Bush and Folger (1994: 84) define empowerment as an experience of awareness of the own self-worth and the ability to deal with difficulties.

As can be observed from these definitions, victim empowerment in the context of restorative justice has been conceived as an effect of, among other things, actively participating in a decision making process. In concrete, empowerment is experienced through the process of meeting, discussing and actively participating in the resolution of the criminal matter, either choosing among different alternatives or influencing the response to the offence.

Restorative justice scholars are neither the first nor the only scholars who have adopted the term 'empowerment' in their vocabulary. On the contrary, restorative justice seems to have borrowed the concept from other disciplines in the social sciences. In order to gain insight about the extent in which restorative justice promotes true empowerment, we will incorporate in the following paragraphs an approach to empowerment based on one of the fields in which empowerment has had a central theoretical position, *i.e.* community psychology, a particular discipline in psychology.[1]

Empowerment in community psychology

Community psychology scholars have considered empowerment from two perspectives, *i.e.* as a value and as a theory. From a value perspective, community psychology postulates that social problems are the consequence of an "unequal distribution of, and access to, resources" (Zimmerman, 2000: 44).

---

[1] Community psychology works on the prevention of psychosocial problems and the promotion of the integral development of people. It appeared in the 1960's as a reaction to the clinical and psychiatric models in psychology (Kofkin, 2003).

It furthermore argues that individuals should have an opportunity to actively participate in attempts to relieve their fate. Community psychology suggests that individuals have a better chance at developing their capacity for problem-solving when they actively participate in problem-solving than when they are relegated to mere passive receivers of external help. Empowerment is thus not just a psychological term; in the context of community psychology it is also considered an organisational, political, sociological, economic and spiritual one (Rappaport, 1987: 130). Because of this ideological position, empowerment is necessarily related to the critical theory paradigm in which the main goal is the transformation of reality through social change (Guba, Lincoln, 1994: 112).

From a theoretical orientation, empowerment is the phenomenon by which people, organisations and communities gain dominion over issues of concern to them (Rappaport, 1987: 122). It is conceived as a mechanism that can occur not only at the individual level, but also at the community and organisational level. We will focus here on the individual level of empowerment or 'psychological empowerment'. Zimmerman (2000: 46) argues that psychological empowerment is not just an outcome but also a process in which individuals acquire the opportunity to control their own destiny. According to this author, psychological empowerment includes three components:

a) An intrapersonal component, which refers to how individuals think of them-selves. It implies beliefs about one's ability to influence different aspects of life, such as feelings of self-efficacy and competence;

b) An interactional component, which refers to the extent to which people understand the (social, political) environment in which they live. To have a critical awareness of one's environment implies understanding which resources are needed to achieve a certain goal as well as to manage both the access to these resources and the skills to handle them;

c) A behavioural component, which refers to actions taken to influence out-comes (Zimmerman, 1995). It involves actions that the individual may take in order to influence its political and social environment, such as partici-pation in community organisations, neighbourhood associations, political groups and self-help groups. Such actions may also imply helping others to cope or organising people who share common concerns (Zimmerman et al., 1992: 708).

This definition of empowerment has important implications for our discussion. First, community psychology scholars suggest that psychological

empowerment cannot be reduced to or considered a synonym of self-confidence. Self-confidence can be a part of empowerment but empowerment is certainly a broader concept. Empowerment also includes an "active engagement in one's community and an understanding of one's sociopolitical environment" (Zimmerman, 1995: 582) as well as the beliefs associated to the own capacity "to influence social and political systems" (Zimmerman et al., 1992: 708). The term of psychological empowerment thus differs from other psychological constructs such as self-efficacy, self-esteem, competence and mental health in its social dimension: empowerment implies the commitment and capacity to promote social change (Zimmerman, 1995: 582). Hence the importance of the behavioural component described by Zimmerman: empowerment does not only relate to developing feelings of competence and understanding the context, but also to the ability *to act* and to have a real influence on one's environment. The capacity to act is an essential element of the definition of empowerment.

Second, since empowerment is conceived as an ideological model of social responsibility, individuals are conceived as citizens with rights and not as individuals dependent of social services as assumed by the 'prevention-needs model'[2] (Rappaport, 1981: 16). As Rappaport (1981: 16) writes, "[p]revention suggests professional experts; empowerment suggests collaborators".

Empowerment, restorative justice and community psychology

Let us return now to restorative justice's definitions of empowerment and, in particular, to the conceptualisation of the 'active' victim. Does restorative justice promote true empowerment?

According to the definition of empowerment developed by community psychology scholars, restorative justice seems to promote some aspects of empowerment while neglecting others. Let us explain this. There is some evidence that the interpersonal and intrapersonal dimensions of empowerment described by Zimmerman can certainly result from participation in restorative practices. Indeed, research has shown that victims experience positive emotions when participating in restorative

---

[2]   According to Rappaport, the prevention-need model is opposite to the empowerment model, since the former assumes individuals as 'children', that is, people in need who lack personal competences and, therefore, require external intervention to prevent or treat psycho-social problems (Rappaport, 1981:16).

justice that could be related, somehow, to these first two dimensions. For example, receiving an explanation from the offender is fundamental for victim recovery (Beven et al., 2005: 204; Dignan, 1992: 461; Strang, 2002: 113; Umbreit 1989: 56; Umbreit et al., 2004: 288) since this information can restore victims' sense of control over their lives (Wemmers, Cyr, 2005: 540) and their faith in the world as a meaningful and safe place (Beven et al., 2005: 204). Participating in restorative programmes indeed often allows victims to ask the offender questions about the offence and receive such an explanation. Participation in mediation may help to face the trauma and its consequences (Gustafson, 2005: 220) and may in addition facilitate the construction of new conceptualisations of what has occurred *i.e.*, the experience is given more realistic proportions (Aertsen, Peters, 1998: 117-118). Victims also value their involvement in the process explicitly (Umbreit, 1994) which is translated into greater satisfaction levels reported by victims who participated in restorative justice than for victims whose cases were managed by the traditional criminal justice system (Beven et al., 2005: 205; Sherman, Strang, 2007: 62; Bardshaw, Umbreit, 1998: 17-18).

However, we have doubts about the extent to which the third dimension of empowerment – the possibility to influence the social and the political level – is developed or promoted by restorative practices. Empowerment in this dimension appears to be more restricted. Victims by participating in restorative justice may understand the 'why', feel involved in the process and change their perceptions with regard to themselves, the offence and the offender. But these effects of participation are limited to the individual level; they do not influence the social or political context of the problem. In other words, victim's participation may influence aspects related to the victim's case at the personal level, but does not necessarily influence aspects related to the institutional setting or broader social structures in which both the offence and the response are taking place. Linked to this, restorative justice seems to be focused pre-eminently on the private dimension of the crime, and not on the public one. This emphasis on the micro-level does not encourage victims to become actors of social transformation.

Empowerment can certainly be supported by providing types of social intervention including mediation and conferencing, but the experience of empowerment will remain limited if not all its dimensions (interpersonal, intrapersonal and behavioural) are taken into account. According to Zimmerman et al. (1992: 725), psychological empowerment can only be

promoted when environmental aspects that may both facilitate or impede the development of empowerment are taken into account and when individuals are actively involved in the design, implementation and evaluation of the intervention they take part of.

Conclusion: empowerment reduced?

The discussion developed above lead us to the conclusion that, related to the position of victims, restorative justice seems to be focused mainly on the personal level of the case and is therefore, to some extent, replicating the individualising approach which is so characteristic for the criminal justice process. Nevertheless, some authors argue for restorative justice to have a broader role in society than resolving personal conflicts. For example, Van Ness and Strong (2006: 179) as well as Gil (2008: 499) consider that a task of restorative justice is to get insight in aspects of inequalities and to promote social justice. Restorative justice should "monitor the structures whose interplay affects the criminal procedure" (Van Ness, Strong, 2006: 178) and has to transcend traditional practices becoming a promoter of social change (Gil, 2008: 508).

Thus according to some approaches present within the restorative justice movement, the victim (in dialogue with other stakeholders) could interact much more intensively with the macro-level in society. When the macro-level is mentioned here, we are not just referring to participation by the surroundings of the victim or the 'community of care', as occurs in family group conferencing. The latter seems to offer a too limited scope to the victim in terms of empowerment. It has been observed, first, that participation by the victim and his family members or other supporters in conferencing models sometimes remains weak (Shapland et al., 2006: 50). Moreover, when the community of care intervenes, its participation focuses on the support or follow-up of the individual offender or victim. When the macro-level is mentioned here we are referring to the possibility of conceiving the victim as a social actor, a citizen with political rights that may influence other levels of the conflict.

Amongst the authors who have argued that participation in restorative justice practices can go beyond the individual level, are Shearing and Froestad (Shearing, 2001; Shearing, Froestad, 2007). On the basis of their research a model has been developed called Peacemaking and Peacebuilding Forums. In the peacemaking stage of dealing with the conflict, community members

meet to find solutions to the concrete problem. In the peacebuilding stage, the community meets to discuss more general concerns as they emerged at the case level. The idea is to bring together local knowledge and capacity to "engage in both the rowing and the steering of governance" (Shearing, 2001: 20). Since the focus is on the solution of the problem, the members of the forum are invited to reflect on a particular case but also on comparisons across different cases. Interestingly, in order to allow a more open exploration of the problem and its solutions, the labels of 'victim' and 'offender' are no longer used (Shearing, 2001).

There are some other examples of restorative practices where the link is made between the individual and the societal level. Very informative are programmes where work with victims of mass atrocities and offenders – and their communities – has been done in a post-war era (Nikolić-Ristanović, 2008). In a different context, in Brazil a model of 'restorative circles' has been developed from a social-pedagogical point of view, where causes and consequences of the offence are addressed at the societal level as well (Bolívar et al., 2010). Furthermore, victims who have been participating in mediation may become advocates of restorative justice, board members of mediation services or supporters to other victims in their mediation processes (Pali, Pelikan, 2010: 161-164). Also, some countries have adopted models of administrating restorative programmes from an inter-agency approach, making use of local steering groups as mediating structures between different institutional contexts (Aertsen, 2006).

The analysis of the presence of the victim in restorative practices made in this article revealed a limited conception of the 'active victim'. Further empirical research is needed now in order to illuminate and explore this reduction in practice. In-depth qualitative research, on a case basis, can show us to which extent victims participate actively and autonomously, how their decision making processes are developing, which role participation has in coping processes and how this is influenced by their social environment and the institutional world. Research should focus on the role of mediators and facilitators as well, in order to understand their activating and emancipative role versus their more protective or steering approach to victims. The way restorative programmes are organised should be subject of study, to understand which room they leave for victims' and other citizens' initiative to start mediation processes themselves. Whereas empirical research can learn us a lot about how restorative practices are conceptualising and therefore

promoting empowerment at the personal and relational level, a bigger challenge now consists in investigating whether and how restorative practices can bridge to the societal-structural level. In this respect, setting up pilot projects with different types of peacemaking circles should be envisaged, also in a European context.

Bibliography

Aertsen, I. (2006) The intermediate position of restorative justice: the case of Belgium. In: I. Aertsen, T. Daems, L. Robert (eds.) *Institutionalising restorative justice*. Cullompton: Willan, pp. 68-92.

Aertsen, I., Peters, T. (1998) Mediation for reparation: the victim's perspective. *European Journal of crime, criminal law and criminal justice*, *6*, pp. 106-124.

Ashworth, (2002) Responsabilities, rights and restorative justice. *British journal of criminology*, *42*, pp. 578-595.

Bardshaw, W., Umbreit, M. (1998) Crime victims meet juvenile offenders; contributing factors to victim satisfaction with mediated dialogue. *Juvenile and Family Court Journal*, *49*, pp. 17-25.

Barton, C. (2000) Empowerment and retribution in criminal justice. In: H. Strang, J. Braithwaite (eds.) *Restorative justice: Philosophy to practice*. Aldershot: Ashgate/ Dartmouth, pp. 55-76.

Beven, J., Hall, G., Froyland, I., Steels, B., Goulding, D. (2005) Restoration or renovation? Evaluating restorative justice outcomes. *Psychiatry, Psychology and Law*, *12*, pp.194-206.

Bolívar, D., Brancher, L., Navarro, I., Vega, M. (2010) *Restorative Justice in Latin America: Reflections from three countries*. Paper presented at Expert Seminar 'Conferencing: A Way Forward for Restorative Justice in Europe'. Leuven: European Forum for Restorative Justice.

Braithwaite, J. (2003) Principles of restorative justice. In: A. Von Hirsh, J. Roberts, A. Bottoms, K. Roach, M. Schiff (eds.) *Restorative Justice and criminal justice: competing or reconcilable paradigms?* Oxford and Portland: Hart publishing.

Bush, R.A.B., Folger, J.P. (1994) *The Promise of Mediation: Responding to Conflict Through Empowerment and Recognition*. San Francisco: CA Jossey-Bass.

Christie, N. (1977) Conflicts as property. *British Journal of Criminology*, *17*, pp. 1-15.

Daly, K. (2004) A tale of two studies: Restorative justice from a victim perspective. In: E. Elliott, R. Gordon (eds.) *New directions in restorative justice: Issues, practice, evaluation*. Cullompton: Willan, pp. 153-174.

Dignan, J. (1992) Repairing the damage: can reparation be made to work in the service of diversion? *The British Journal of Criminology: an International Review of Crime and Society*, *32*, pp. 453-473.

Dignan, J. (2005) *Understanding victims and restorative justice*. Berkshire: Open University Press.

Dzur, A.W., Olson, S.M. (2004) The value of community participation in restorative justice. *Journal of social philosophy*, *35*, pp. 91-107.

Gil, D (2008) Toward a 'radical' paradigm of restorative justice. In: D. Sullivan, L. Tifft (eds.) *Handbook of restorative justice*. New York: Routledge, pp. 499-511.

Garland, D. (2000) The culture of high crime societies. *British Journal of Criminology*, *40*, pp. 347-375.

Garland, D. (2001) *The culture of control*. Oxford: Oxford University Press.

Garland, D., Sparks, R. (2000) Criminology, social theory and the challenge of our times. *British Journal of Criminology*, *40*, pp. 189-204.

Groenhuijsen, M.S., Pemberton, A., Winkel, F.W. (2008) Evaluating victims experiences in restorative justice. *British Journal of Community Justice*, *6*, pp. 99-119.

Guba, E., Lincoln, Y. (1994) Competing paradigms in qualitative research. In: N.K. Denzin, Y.S. Lincoln (eds.) *Handbook of qualitative research*. Thousand Oaks: Sage, pp. 105-117.

Gustafson, D. (2005) Exploring Treatment and Trauma Recovery Implications of Facilitating Victim Offender Encounters in Crimes of Severe Violence: Lessons from the Canadian Experience. In: E. Elliott, M.R. Gordon (eds.) *New Directions in Restorative Justice: Issues, Practice, Evaluation*. Cullompton: Willan Publishing, pp. 193-227.

Kearon, T., Godfrey, B.S. (2007) Setting the scene: a question of history. In: S. Walklate (ed.) *Handbook of Victims and Victimology*. Cullompton: Willan Publishing, pp. 17-36.

Kofkin, J. (2003) *Community psychology. Guiding principles and orienting concepts*. New Jersey: Prentince Hall.

Larson, J., Zehr, H. (2007) The Ideas of Engagement and Empowerment. In: G. Johnstone, R. Van Ness (eds.) *Handbook of Restorative Justice*. Collumpton: Willian Publishing, pp. 41-58.

McCold, P. (1996) Restorative justice and the role of community. In: B. Galaway, J. Hudson (eds.) *Restorative Justice: international perspectives*. New York: Criminal Justice Press & Amsterdam: Kugler Publications, pp. 85-101.

Morris, A., Maxwell, G., Robertson J. (1993) Giving victims a voice: A New Zealand experiment. *Howard Journal of Criminal Justice*, 32, pp. 301-321.

Nikolić-Ristanović, V. (2008) Potential for the use of informal mechanisms and responses to the Kosovo conflict – Serbian perspective. In: I. Aertsen, J. Arsovska, H.-C. Rohne, M. Valiñas, K. Vanspauwen (eds.) *Restoring Justice after Large-scale Violent Conflicts. Kosovo, DR Congo and the Israeli-Palestinian case*. Cullompton: Willan, pp. 157-182.

Pali, B., Pelikan, C. (2010) *Building Social Support for Restorative Justice. Media, Civil Society and Citizens.* Leuven: European Forum for Restorative Justice.

Rappaport, J. (1981) In praise of paradox: a social policy of empowerment over prevention. *American Journal of Community Psychology*, *9*, pp. 1-25.

Rappaport, J. (1987) Terms of empowerment/exemplars of prevention: Towards a theory for Community psychology. *American Journal of Community Psychology*, *15*, pp. 121-148.

Rock, P. (2002) On becoming a victim. In: C. Hoyle, R. Young (eds.) *New visions of crime victims.* Oxford: Hart Publishing, pp. 1-22.

Shapland, J., Atkinson, A., Atkinson, H., Chapman, B., Colledge, E., Dignan, J., Howes, M., Johnstone, J., Robinson, G., Sorsby, A. (2006) *Restorative justice in practice: The second report from the evaluation of the three schemes*. Sheffield: Center For Criminological Research.

Shapland, J., Atkinson, A., Atkinson, H., Chapman, B., Dignan, J., Howes, M., Johnstone, J., Robinson, G., Sorsby, A. (2007) *Restorative justice: The views of victims and offenders. The third report from the evaluation of the three schemes*. Shieffield: Center for Criminological Research.

Shearing, C. (2001) Transforming security: a South African Experiment. In: H. Strang, J. Braithwaite (eds.). *Restorative Justice and Civil Society*. Cambridge: Cambridge University Press, pp. 14-34.

Shearing, C., Froestad, J. (2007) *Beyond restorative justice - Zwelethemba, a future-focused model using local capacity conflict resolution*. In: R. Mackay, M. Bosnjak, J. Deklerck, C. Pelikan, B. van Stokkom, M. Wright (eds.) *Images of Restorative Justice Theory.* Frankfurt: Verlag fur Polizeiwissenschaft, pp. 16-34.

Sherman, L., Strang, H. (2007) *Restorative Justice: the evidence*. UK: The Smith Institute. *Available from: www.smith-institute.org.uk/publications.htm.*

Strang, H. (2002) *Repair or revenge. Victims and restorative justice*. Oxford: Clarendon Press.

Strang, H. (2004) Is restorative justice imposing its agenda on victims? In: H. Zehr, B. Toews (eds.) *Critical issues in restorative justice*. Monsey, NY: Criminal Justice Press, pp. 95-105.

Strobl, R. (2004) Constructing the victim: theoretical reflections and empirical examples. *International Review of Victimology*, *11*, pp. 295-311.

Toews, B., Zehr, H. (2003) Ways of knowing for a restorative worldview. In: E.G.M. Weitekamp, H.J. Kerner (eds.) *Restorative justice in context*. Cullompton: Willan, pp. 257-271.

Umbreit, M. (1989) Crime victims seeking fairness, not revenge: toward restorative justice. *Federal Probation*, 53, pp. 52-57.

Umbreit, M. (1994) *Victim Meets Offender. The Impact of Restorative Justice and Mediation*. New York: Willow Tree Press.

Umbreit, M., Coates, R., Vos, B. (2004) Victim-offender mediation: three decades of practices and research. *Conflict Resolution Quarterly*, 22, pp. 279-303.

Van Dijk, J. (2006) *The mark of Abel; reflections on the social labelling of victims of crime*. Lecture delivered on the occasion of the official acceptance of the Pieter van Vollenhoven Chair in Victimology, Human Security and Safety at Tilburg University (the Netherlands) on November 24, 2006.

Van Ness, D.W., Strong, K.H. (2006) *Restoring justice: an introduction to restorative justice* (3rd edition). London: LexisNexis/Anderson Publishing.

Wemmers, J.A. (2002) *Victims' Experiences with, expectations and perceptions of restorative justice: A critical review of the literature*. Ottawa: Department of Justice, Canada. Available from: http://www.justice.gc.ca/en/ps/rs/rep/2001/rr01-9.pdf

Wemmers, J.A., Cyr, K. (2005) Can mediation be therapeutic for crime victims? An evaluation of victim's experiences in mediation with young offenders. *Canadian Journal of Criminology and Criminal Justice*, *47*, pp. 527-544.

Zehr, H. (2005) *Changing lenses. A new focus for crime and justice. Third edition*. Scottdale, USA: Herald Press.

Zehr, H., Mika, H. (1998) Fundamental concepts of restorative justice. *Contemporary Justice Review*, *1*, pp. 47-56.

Zimmerman, M. (1995) Psychological Empowerment: Issues and Illustrations. *American Journal of Community Psychology*, 23, pp. 581-599.

Zimmerman, M. (2000) Empowerment Theory. Psychological, Organizational and Community Levels of Analysis. In: J. Rappaport, E. Seidman (eds.) *Handbook of Community Psychology*. New York: Kluwer Academic, pp. 43-63.

Zimmerman, M., Israel, B., Schulz, A., Checkoway, B. (1992) Further explorations in empowerment theory: an empirical analysis of psychological empowerment. *American Journal of Community Psychology*, *20*, pp. 707-727.

Ivo Aertsen
Daniela Bolívar
Vicky De Mesmaecker
Nathalie Lauwers

Restorativna pravda i aktivna žrtva: istraživanje koncepta osnaživanja

Ovaj rad polazi od opservacije da se vodeći javni diskurs o slici žrtve transformisao u poslednjih nekoliko godina: žrtve u sve većoj meri odbijaju tradicionalnu etiketu žrtve koja implicira bespomoćnost i zavisnost, kako bi prisvojili sliku emancipovane žrtve koja želi da učestvuje u krivičnom postupku. Restorativna pravda na prvi pogled daje odgovor na želje ovih emancipovanih žrtava, nudeći im učešće u krivičnom postupku. Ipak, koristeći koncept osnaživanja kao primer i perspektivu psihologije u zajednici kao teorijsku osnovu, naša analiza je pokazala da restorativna pravda koristi ograničenu definiciju osnaživanja: ona redukuje osnaživanje na razvoj samopouzdanja i novi način shvatanja krivičnog dela, zanemarujući bihejvioralnu komponentu osnaživanja. Izgleda da ova karakteristika restorativne pravde negira kapacitet žrtava da promovišu društvene promene i sprečava ih da postignu pravo osnaživanje.

Ključne reči: restorativna pravda, žrtve, osnaživanje, psihologija u zajednici.