



# Restorative Justice & Responsive Regulation (Studies in Crime and Public Policy)

*John Braithwaite*

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Braithwaite's argument against punitive justice systems and for restorative justice systems establishes that there are good theoretical and empirical grounds for anticipating that well designed restorative justice processes will restore victims, offenders, and communities better than existing criminal justice practices. Counterintuitively, he also shows that a restorative justice system may deter, incapacitate, and rehabilitate more effectively than a punitive system. This is particularly true when the restorative justice system is embedded in a responsive regulatory framework that opts for deterrence only after restoration repeatedly fails, and incapacitation only after escalated deterrence fails. Braithwaite's empirical research demonstrates that active deterrence under the dynamic regulatory pyramid that is a hallmark of the restorative justice system he supports, is far more effective than the passive deterrence that is notable in the stricter "sentencing grid" of current criminal justice systems.

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