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# A Comparative Analysis on the Effectiveness of Restorative Justice Approaches in Resolving Family Disputes between Developing and Developed Nations

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## ABSTRACT

*In recent years, restorative justice has gained popularity as an alternative to traditional legal processes that rely on adversarial procedures to resolve disputes between families. Indian family law is increasingly integrating restorative justice approaches, which draw from both traditional practices of conflict resolution based on community and modern methodologies. Among the dispute resolution approaches prevalent in India is restorative justice, which is used to resolve divorce matters, custody disputes, and other conflict resolution issues involving families. Mediation, peace circles, and family group conferencing are just a few examples of restorative practices used in India. As a result, extended family networks play a significant role in resolving disputes in India, a country with a diverse cultural landscape and social landscape. In this study, key factors contributing to restorative justice's success or failure in the Indian context are identified based on case studies and legal outcomes. In India, restorative justice approaches, which are more prevalent in developed nations, are compared to their effectiveness. Comparing India with developed nations highlights the many challenges it faces, including limited legal infrastructure, different cultural norms, and resistance to change. In addition, it shows that restorative practices offer opportunities for involving extended families and community stakeholders in the resolution process, as well.*

**Keywords:** Restorative Justice, Family dispute, Developing nations and Developed Nations.

## I. INTRODUCTION

The use of restorative practices can be a powerful tool in family law because they focus on repairing harm and restoring relationships. Restorative circles foster open communication and healing instead of conventional adversarial approaches. By using talking pieces, for example, all parties can be heard without interruption, facilitating a structured conversation. A proactive

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listening approach and empathy are especially useful in situations with high emotional intensity. Each family's needs can be met by restorative practices due to their flexibility<sup>3</sup>. Through this approach, stakeholders including family, friends, and community members can be involved, offering a broader perspective that can aid in finding solutions that work for everyone. When parents must co-parent after their marriage dissolves, a collaborative approach can be crucial to strengthening ongoing relationships. Additionally, restorative practices can at least prevent children from being psychologically impacted by divorce by focusing on rebuilding relationships instead of simply resolving disputes<sup>4</sup>. Family law proceedings can be less stressful and traumatizing when parents are able to communicate effectively and work together to reach solutions. Throughout the Western world, restorative practices have increasingly been integrated into family law systems, especially in Canada, Australia, and parts of the United States. Instead of focusing on legal processes and adversarial court proceedings, these practices focus on repairing relationships and fostering communication. Resolving conflicts within a family is made easier through restorative justice. As an alternative to traditional court processes, it emphasizes communication, healing, and relationships. Families benefit from restorative practices when they are given the tools to work out their conflicts together with mutual respect and understanding<sup>5</sup>.

### **(A) Objectives**

- To know the restorative Justice approaches prevalent in India.
- To study the effectiveness of Restorative Justice Approaches in Resolving Family Disputes in India.
- To make comparison between the effectiveness of Restorative Justice Approaches in Resolving Family Disputes between developing and developed nations

## **II. RESTORATIVE JUSTICE**

Traditionally, remedial justice involves restitution for crime victims and offenders, as well as the reunification of the victim, the offender, and the community following a crime. Mediation and conflict resolution are part of restorative justice, which involves direct communication between offender, victim, victims' families, and the community. Additionally, it offers law-

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<sup>3</sup> Williams, Annie. "Family support services delivered using a restorative approach: A framework for relationship and strengths based whole family practice." *24.4 Child & family social work: 555-564* (2019).

<sup>4</sup> Routh, Gregory, and Lily Anderson. *Adolescent violence in the home: Restorative approaches to building healthy, respectful family relationships*. Routledge, 2014.

<sup>5</sup> Umbreit, Mark, and Marilyn Peterson Armour. *Restorative justice dialogue: An essential guide for research and practice*. Springer publishing company, 2010.

abiding lifestyles as realistic alternatives to criminal behavior by holding the offender accountable to the other parties. As an offense against governmental authority, criminal acts are more than just violations of the law to restorative justice<sup>6</sup>. Violations of human relationships, as well as a harm to communities, victims, and offenders, occur when it occurs. To begin healing, each party must meet their own needs, as they are hurt in different ways. There is often a sense of suspicion, separation, and discrimination associated with crime, which disrupts society's sense of trust. The crime of a friend or relative, of a neighbor, or of a community causes rifts among friends, relatives, and neighbors. As a result, a hostile relationship often develops where there was none before<sup>7</sup>.

#### **(A) Restorative justice approaches in resolving family disputes**

Restoring harm is the goal of restorative practices. According to this definition, harm is a violation of relationships between people. When another person has been harmed or violated, the other person has an obligation to make amends or make things right. All parties involved need the opportunity and space to heal in order to put things right. In addition to peace circles and restorative chats, self-care practices can also be used as restorative practices. In the restorative framework, most things that facilitate healing from harm or violation are included. Family law is one of the most flexible settings for restorative practices because every family is different and no one approach fits all<sup>8</sup>. A limited amount of research has been done on restorative justice in family law, and it has proven to be successful.

Conflicts can be resolved and transformed through peace circles, resulting in healing. All participants in a circle meet in a safe, confidential, and value-driven space to discuss and reflect on the causes and consequences of harm. In addition to the disputing parties, the circle can include all stakeholders, such as family, friends, spouses, or even concerned neighbors in the community<sup>9</sup>. Outside perspectives from stakeholders are often needed, but their extent and nature depend on the circle. In circles, members of the circle pass around a talking piece to ensure only one member can speak at a time. Each person in the circle gets a chance to speak, reflect, and share with the circle keepers on the questions they pose.

In contrast, restorative practices offer a unique opportunity to resolve problems that arise as a

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<sup>6</sup> Van Ness, Daniel W. "An overview of restorative justice around the world." (2016).

<sup>7</sup> Tyler, Tom R. "Restorative justice and procedural justice: Dealing with rule breaking."62.2 *Journal of social issues* : 307-326(2006).

<sup>8</sup> Bazemore, Gordon, and Twila Hugley Earle. "Balance in the response to family violence: Challenging restorative principles." *Restorative justice and family violence* : 153-177(2002).

<sup>9</sup> Gal, Tali. "'The conflict is ours': community involvement in restorative justice."19.3 *Contemporary justice review*: 289-306 (2016).

result of mediation<sup>10</sup>. It is important to repair relationships in restorative practices so that peace can be restored in the family even after a divorce. Following the court's dissolution order, they must co-parent. Maintaining a functioning family can shield children from some of the psychological trauma discussed above, which is only possible if they have repaired their relationships. Communication issues and growing apart are also common reasons for marriages to end, so keeping a channel of communication open becomes vital. Because the other party can only speak when their ex-spouse or child's other parent speaks, the other side is forced to listen until their ex-spouse or child's other parent finishes speaking.<sup>11</sup> By allowing everyone in the circle to speak, it also mitigates some imbalance concerns. It reduces the possibility that either party might feel compelled to give more than the child's best interests if the other party coerces them into doing so.

As a result, parties have the opportunity to spend more time crafting solutions than they would be able to in court, and, with a structure in place for communication, they may be able to work together to come to a solution that is appropriate for the entire family. Ultimately, the family will be able to move forward with this solution, confident that everyone has been heard and the solution will serve their needs. Family law issues can be resolved more efficiently through restorative justice than through other more traditional methods<sup>12</sup>. Through its process and involvement of stakeholders, it allows families to resolve problems together, rather than through adversarial court proceedings. By practicing restorative practices, you will be able to repair the harm and bridge the communication gap, as well as rebuild healthy relationships that will hopefully last long after the parties have reached an agreement. Restorative practices give families the tools to begin rebuilding their relationships, after the court order has been entered<sup>13</sup>.

### III. RESTORATIVE JUSTICE IN INDIA

Mediation mandated by the Indian government as the first recourse for matrimonial disputes introduced the restorative justice concept to the Indian matrimonial sphere in 2013. Restorative justice is highly effective in juvenile crimes, according to the 164th Parliamentary Standing Committee Report on Juvenile Justice Act, but Boards lack the services needed to facilitate restorative justice, including counseling, mediation, treatment, and other reformatory

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<sup>10</sup> Moore, Christopher W. *The mediation process: Practical strategies for resolving conflict*. John Wiley & Sons, 2014.

<sup>11</sup> Baker, Amy JL, and Paul R. Fine. *Co-parenting with a toxic ex: What to do when your ex-spouse tries to turn the kids against you*. New Harbinger Publications, 2014.

<sup>12</sup> Islam, Md Jahirul, et al. "Challenges of implementing restorative justice for intimate partner violence: An Islamic perspective." *37.3 Journal of Religion & Spirituality in Social Work: Social Thought* : 277-301(2018).

<sup>13</sup> Routh, Gregory, and Lily Anderson. *Adolescent violence in the home: Restorative approaches to building healthy, respectful family relationships*. Routledge, 2014.

measures<sup>14</sup>. When a punitive penalty is handed down to a criminal, Justice Krishnaiyer ruled that it must be aimed at restorative measures rather than mere deterrence. It is a weakness of our jurisprudence that victims of crime and the distress of the dependents of prisoners are not taken into account, as declared by Justice Krishna Iyer in *Rattan Singh V. State of Punjab*<sup>15</sup>. The concept of victim reparation has largely disappeared from our criminal laws. The legislature needs to rectify this deficiency in the system.

In the Supreme Court ruling in *Babu Singh v. State of Uttar Pradesh*<sup>16</sup> suggested that methods of restoring justice, such as sentencing circles, victim-offender meetings, and meditation drills, should be implemented to help restore both victims and offenders. Due to the routine nature of criminal proceedings in the present criminal justice system, victims of serious crimes experience trauma throughout the entire justice process, which makes it impossible to provide closure to aggrieved parties or repair emotional damage caused by the crime. As a result of lengthy litigation processes, appeals and revisions of convictions in India can take considerable time to resolve. The victim suffers persistent mental agony and emotional trauma. Justice is traditionally interpreted as disclosing information, defending cases, and enforcing punishment, but in reality, these actions do not provide any satisfaction to victims<sup>17</sup>.

#### **(A) Laws relating to restorative justice in India:**

Restorative justice has been incorporated into Indian law in the following ways:

**Panchayats:** According to the constitution, Nyaya Panchayats are to be established. Disputes are resolved on a community level using this method<sup>18</sup>. Khap Panchayats, Gram Nyayalayas, Mahila Panchayats, Panchayat Adalats, and Nari Adalats are some of the community-based restorative justice methods available for civil and criminal offenses that are not severe. Khap panchayats on rare occasions have erroneously involved the courts, which has resulted in a reduction in formal legal processes.

**Customary laws:** In Indian criminal justice, customs play a very important role in dispute resolution because they are based on a community-centric approach, similar to restorative justice.<sup>19</sup> It is recognized in our constitution that custom is a source of law and therefore tribes

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<sup>14</sup>Kumar, Ramesh. "Restorative Justice in India: A Study." *Burnished Law Journal*, March 2021

<sup>15</sup> Rattan Singh V. State of Punjab, 1980 AIR 84

<sup>16</sup> Babu Singh v. State of Uttar Pradesh, 1978 SCR (2) 777

<sup>17</sup> Lacey, Nicola, and Hanna Pickard. "To blame or to forgive? Reconciling punishment and forgiveness in criminal justice." *35.4 Oxford Journal of Legal Studies* : 665-696 (2015).

<sup>18</sup> Bakshi, Parvinrai Mulwantrai, and Subhash C. Kashyap. *The constitution of India*. Universal Law Publishing, 1982.

<sup>19</sup> Singh, Ajay Pal. "Restorative Justice and the Legal System: An Indian Perspective." *23 Supremo Amicus* : 600(2021).

of the Garo Hills are held responsible for crimes committed by all members of the community and not individual members.

**Civil cases:** It is possible to find restoration of justice in the judicial process through family courts under the Lok Adalats under the 1987 Legal Services Authorities Act<sup>20</sup> and 1984 Family Court Act<sup>21</sup>. By fostering mutual dialogue among parties to settle matters such as restitution of conjugal rights, divorce, validity of marriage, etc., the Arbitration and Conciliation Act of 1986<sup>22</sup> facilitates timely approaches and speedy resolutions in civil and compoundable criminal cases through the provision of timely approaches and swift resolutions.

**Criminal Cases:** Provisions for Restorative Justice are found in: -

(a) **Section 320 of CrPC, 1973<sup>23</sup>:** The offender and victim are allowed to compound their offenses. In order to achieve restorative justice, it has been acknowledged as one of the mechanisms. By voluntarily avoiding litigation, the offender and victim reach a consensus through compounding. There are some cases in which compounding offenses do not require the consent of the court, and there are others in which the court must also approve it. A specific person can be affected by certain offenses without affecting the entire society. 320(1) of the CrPC, 1973 allows the court to compound these offenses without its consent. The concept of compounding is applied to offenses such as hurt, criminal trespass, adultery, confinement and defamation etc., which involve a person's feelings and are classified as crimes.

(b) In 320(2) the court cannot compound an offense that affects more people and society and is more severe and grave in nature. Fraud, counterfeiting, wrongful confinement, grievous pain, and breach of trust are examples.

(c) Chapter XXI A of the CrPC, 1973 describes plea bargaining, which is governed by section 265A-L. Plea bargaining is addressed in Sections 265 A-L. Socioeconomic offenses, offenses against children, and offenses against property are also exempted. Section 265-B describes the plea bargaining procedure<sup>24</sup>.

#### IV. RESTORATIVE JUSTICE IN OTHER DEVELOPING AND DEVELOPED NATIONS

In the case of juveniles, property crimes and petty offenses, restorative justice is applied. Probation officers are in charge of organizing it.<sup>25</sup> Elkhart, Indiana, group reenacts victim-

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<sup>20</sup> THE LEGAL SERVICES AUTHORITIES ACT, 1987. ACT NO. 39 OF 1987

<sup>21</sup> THE FAMILY COURTS ACT, 1984 ACT NO. 66 OF 1984

<sup>22</sup> THE ARBITRATION AND CONCILIATION ACT, 1996 ACT No. 26 OF 1996

<sup>23</sup> THE CODE OF CRIMINAL PROCEDURE, 1973 ACT NO. 2 OF 1974

<sup>24</sup> THE CODE OF CRIMINAL PROCEDURE, 1973 ACT NO. 2 OF 1974

<sup>25</sup> Bazemore, Gordon, Joe Hudson, and Mara Schiff. *Juvenile justice reform and restorative justice*. Willan, 2013.

offender dialogue from 1978. As well as juvenile offenses and burglaries, there has been an increasing interest in practicing it in homicide, rape, manslaughter, and murder cases similar to the United States of America<sup>26</sup>. An acquaintance rape case was sanctioned by the court in 1989.

It is mandatory in juvenile offenses for the German Criminal Code, 1998, as amended in 1991, that restorative justice be incorporated into the criminal code<sup>27</sup>. A prison sentence of less than one year was defined in 1994 by Section 46. Child protection and juvenile justice are also handled by the Maori community in New Zealand using restorative justice processes. Wagga, New South Wales, has been leading the way in restorative justice conferences for victim offenders. Other states are now practicing restorative justice as well.

A scheme of Restorative justice - VOM - received funding from the United Kingdom Crime Reduction Programmes in 1999<sup>28</sup>. Prosecutors are recommended to use restorative justice as an alternative to prosecution for adults and youths under sections 7 and 8 of the Code for Crown Prosecutors. Standard 3 of the Core Quality Standards (CQS) stipulates that prosecutors may use restorative justice options (out-of-court procedures) where appropriate to rehabilitate or punish defendants and gain speedy reparations for victims.

In Restorative Justice was suggested for inclusion in criminal justice system by the UN Commission on Crime Prevention and Criminal Justice, to bring the offender on par with the victim<sup>29</sup>. Upon confessing and apologizing to the victim, the offender is guided by his guilt into not repeating the offense. The offender also owes the victim fair and proportionate reparations for the damage caused. In 14 different countries around the world, domestic legislations are being amended and financial assistance is being offered for restorative justice to enable the courts, victims, offenders, and communities to expedite delivery of justice that is based on relationship and healing and supported by all parties.

A wide variety of countries like New Zealand, Canada, Australia, South Africa, France, etc, are successfully implementing Restorative Justice<sup>30</sup>. In these countries, Restorative Justice usually uses methods such as mediation between victim and offender, family and community group conferencing, peacemaking sentencing circles, and community assistance activities. Victims

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<sup>26</sup> Miller, Ted R., et al. "Incidence and costs of personal and property crimes in the USA, 2017." 12.1 *Journal of Benefit-Cost Analysis*: 24-54 (2021).

<sup>27</sup> Budwell, Cater. "Full Circle: Incorporating Aspects of Restorative Justice Principles from Germany into America's Juvenile Justice System." 4 *J. Glob. Just. & Pub. Pol'y* : 1(2018).

<sup>28</sup> Shapland, Joanna, Gwen Robinson, and Angela Sorsby. *Restorative justice in practice: Evaluating what works for victims and offenders*. Willan, 2011.

<sup>29</sup> Garbett, Claire. "The truth and the trial: Victim participation, restorative justice, and the International Criminal Court." 16.2 *Contemporary Justice Review* : 193-213(2013).

<sup>30</sup> Wood, William R., et al. "Roadblocks and diverging paths for restorative justice in Australia and Aotearoa/New Zealand." *Comparative restorative justice* : 197-221(2021).



and offenders are offered the opportunity to meet voluntarily, and this method seems to be most effective. A victim offender mediation program is available in North America and Europe in about 300-500 instances.

There has been a vast reduction in new crimes and recidivism as a result of these programs. They have given satisfaction to victims and reduced their fear to a great extent. At the University of Minnesota School of Social Work, the center for restorative justice and peacemaking supports Restorative Justice through dialogue and negotiation between offender and victim. As a result of restorative justice, the center expects to build a healthy and safe community. Sentences circles are primarily responsible for establishing the principles of Restorative Justice in Canada<sup>31</sup>. During the course of a prison sentence, a Restorative Justice option for parole suspensions allows the offender to apply Restorative Justice methods. Various circles are formed to provide assistance to high risk sexual offenders in the community through restorative justice programs and accountability pilot projects.

## **V. COMPARISON BETWEEN DEVELOPING AND DEVELOPED NATIONS**

It is important to examine how different cultural, legal, and social contexts shape restorative justice approaches in resolving family disputes between developing and developed nations. It is often traditional practices and community-based resolutions that provide the basis for restorative justice in family disputes. A central role in mediation is played by elders or community leaders in many developing nations. In developed nations, systems of restorative justice tend to be formalized within their legal frameworks and may be based on local traditions<sup>32</sup>. The processes and structures used in these approaches are typically mediated by professional mediators with legal oversight. Traditional community structures influence these approaches less.

There are many ways to resolve disputes in developing nations, including both formal and informal means. In some cases, restorative justice can function alongside an existing legal system and in some cases it can operate independently. Regulations and standards are typically more prevalent in restorative justice. The practice of restorative justice within a formal legal context is often found in developed nations' family courts and mediation centers<sup>33</sup>. Certain groups, including women and children, might be disadvantaged by traditional practices in some

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<sup>31</sup> Tomporowski, Barbara. "Restorative justice and community justice in Canada." 2.2 *Restorative Justice* : 218-224(2014).

<sup>32</sup> Díaz Gude, Alejandra, and Iván Navarro Papic. "Restorative justice and legal culture." 20.1 *Criminology & Criminal Justice*: 57-75 (2020).

<sup>33</sup> Naude, B. "An international perspective of restorative justice practices and research outcomes." 31.1 *Journal for Juridical Science* : 101-120(2006).

developing nations due to societal power structures. Inequality can be reinforced as a result of this. Restorative justice processes might be limited by cultural norms, which may favor certain groups or perspectives. Domestic violence and other forms of abuse are often addressed by mediators who are trained in addressing power imbalances<sup>34</sup>.

To ensure everyone is heard, safeguards are generally in place. When resolving disputes, family members often have a voice, with processes designed to ensure their inclusion. By relying on community resources, restorative justice can be more cost-effective in developing nations<sup>35</sup>. Especially in rural or low-income areas, it can be more accessible this way. In some regions, restorative justice practices may not be supported by the infrastructure, resulting in disparities in access. Developed nations offer more structured restorative justice processes, which can be more costly because of mediation fees and legal costs incurred during the process. It is possible to mitigate this through government support, but it is not universal. There are often dedicated mediation centers and legal support in developed nations when it comes to restorative justice<sup>36</sup>. Families seeking to resolve disputes can benefit from this improvement in accessibility.

There are significant cultural differences in the contexts of restorative justice approaches taken by developing and developed nations as well as differences in the legal frameworks and resources available<sup>37</sup>. Community-based practices focusing on reconciliation are often utilized in developing nations, but they can be influenced by existing power dynamics and lack formal oversight. Government support tends to be stronger in developed nations, but these systems are more costly and less flexible. Restorative justice is effective when practices are adapted to local needs and ensured to be accessible and equitable to all parties. Since every context is unique and offers unique advantages and challenges, restorative justice must be adapted to suit individual circumstances<sup>38</sup>.

## VI. CHALLENGES FACED IN IMPLEMENTING RESTORATIVE JUSTICE PRACTICES

There are both challenges and criticisms to restorative justice, despite its success in many instances. Concerns that are common include insufficient investment in training, resources, and infrastructure for restorative justice approaches. The widespread adoption of and

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<sup>34</sup> Islam, Md Jahirul, et al. "Challenges of implementing restorative justice for intimate partner violence: An Islamic perspective." *Journal of Religion & Spirituality in Social Work:37.3 Social Thought* : 277-301(2018).

<sup>35</sup> Smith, Priscilla Ann. *Progression of Restorative Justice Programs and Their Effectiveness on Recidivism and Being Cost Efficient*. Diss. Northcentral University, 2020.

<sup>36</sup> Blad, John. "Community mediation, criminal justice and restorative justice: rearranging the institutions of Law." *Repositioning restorative justice*. Willan., 191-207 2012.

<sup>37</sup> Díaz Gude, Alejandra, and Iván Navarro Pápic. "Restorative justice and legal culture." 20.1 *Criminology & Criminal Justice*: 57-75 (2020).

<sup>38</sup> Marder, Ian D. "The new international restorative justice framework: Reviewing three years of progress and efforts to promote access to services and cultural change."3 *Int'l J. Restorative Just.* : 395 (2020).

implementation of these practices may be hampered by a lack of funding and institutional resistance<sup>39</sup>.

A lack of fair balance of power between victims and offenders has been argued by critics of restorative justice processes. The effectiveness and legitimacy of the outcome can be undermined by power dynamics influenced by gender, race, and social status. When used for less serious offenses, such as property crimes or minor assaults, restorative justice is often considered more appropriate. Critics question whether it is effective when violence is severe, where public safety and punishment may take precedence. Victims and offenders are both required to participate in restorative justice on a voluntary basis<sup>40</sup>. The potential for restorative justice to address the harm caused may be limited if either party refuses to participate or if the community lacks support.

Through restorative justice approaches, victims are prioritized, offenders are held accountable, communities are engaged, and healing and reconciliation are fostered<sup>41</sup>. Restorative justice has been demonstrated to be effective in many contexts, with positive outcomes for victims, offenders, and communities. However, there have been some challenges and criticisms that have been raised. The goal of restorative justice programs is to repair harm, build relationships, and foster long-term community wellbeing by addressing the associated challenges.

## VII. SUGGESTION

In order to implement restorative justice effectively, a multidimensional approach emphasizing community engagement, inclusivity, and skilled mediation is required. The first step should be to create a clear framework that emphasizes reconciliation, accountability, and mutual respect. Mediators should be trained to handle sensitive situations, such as domestic violence or child custody disputes, in order to reduce power imbalances. Consider providing financial assistance to those who cannot afford mediation fees so that restorative justice services can be offered both in rural and urban areas. Facilitate a broader acceptance of restorative justice by engaging community leaders. Educating families about restorative justice's benefits can help reduce the stigma attached to formal legal proceedings. In addition, conduct continuous evaluations of the restorative justice process to improve it over time. In doing so, we will be able to create a system of restorative justice that respects both the individual's needs and their cultural traditions.

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<sup>39</sup> Hobson, Jonathan, and Brian Payne. "Building restorative justice services: Considerations on top-down and bottom-up approaches." *71 International Journal of Law, Crime and Justice*: 100555 (2022).

<sup>40</sup> De Mesmaecker, Vicky. "Victim-offender mediation participants' opinions on the restorative justice values of confidentiality, impartiality and voluntariness." *1.3 Restorative Justice* : 334-361(2013).

<sup>41</sup> Imiera, Prince Pius. "Therapeutic jurisprudence and restorative justice: healing crime victims, restoring the offenders." *51.1 De Jure*: 82-101 (2018).

## VIII. CONCLUSION

Family disputes can be resolved more effectively through restorative justice than through traditional adversarial processes. Compared with restorative justice in developed vs. developing countries, this study examined restorative justice's effectiveness in India. Based on the country's community-oriented culture and extended family networks, restorative approaches, such as mediation and peace circles, are effective in resolving family conflicts in India. Reconciliation and ongoing relationships are prioritized through restorative practices in India. The non-adversarial resolution of conflict and reduction of litigation are achieved despite challenges like limited legal infrastructure and cultural resistance. Despite having more resources and structured legal frameworks than developed countries, India's study shows that developed countries may lack community focus. The formalization and training found in developed nations can, conversely, benefit India. It is essential to create a supportive environment, hire skilled facilitators, and commit to relationship-driven approaches to restorative justice when resolving family disputes. It provides valuable insights for policymakers and legal practitioners in developing as well as developed countries with regards to the promotion of lasting reconciliation, the reduction of adversarial proceedings, and the creation of a more harmonious family dynamic.

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