

## CONVERSATIONS ON RESTORATIVE JUSTICE

# A talk with Vesna Nikolić-Ristanović

*Albert Dzur\**

Vesna Nikolić-Ristanović is full professor of criminology and victimology at Belgrade University/Faculty of special education and rehabilitation. From 2015 to 2019, she was coordinator and lecturer of the course *Paths to reconciliation* at the Regional Master's Programme in Peace Studies, at Faculty of Political Science, Belgrade University. She is also founder and former director of the Victimology Society of Serbia, where she currently has the role of independent consultant. She is a member of the European Academy of Science and Arts, and former president of the European Society of Criminology. She is the founder, former editor-in-chief and current member of the Editorial Board of *Temida*, a leading Serbian academic journal on victimisation, human rights and gender, and a member of the International Advisory Board of *The International Journal of Restorative Justice*. She is also a certified yoga instructor. Her main fields of experience and research include victims of crime, gender related violence, victim support, women's crime, victimisation and crime during the war, reconciliation and inter-group communication, yoga, mindfulness and victims, and restorative justice. In 2018, she received the World Society of Victimology Honorary Membership award in recognition of her outstanding accomplishments and significant contributions in the field of victimology.

### 1 Early experience with cultural differences

*Dzur:* When did you first come across the concept of restorative justice? What made you think, 'Oh, that's interesting'?

*Nikolić-Ristanović:* I first recognised myself as a restorative person, and then I came across the theoretical concepts. I think I have always been very sensitive to differences, to overcoming differences and getting closer to people who are different. I was brought up in a family where my father and my mother were from different nationalities and from different backgrounds. The differences were so well-harmonised in the family: we had both Orthodox and Catholic Easter and Christmas, and everything functioned well. They belonged to different religions, to different nationalities, but they functioned very well. That was very inspiring for me, as I came to realise later in life.

\* Albert Dzur is Distinguished Research Professor, Departments of Political Science and Philosophy, Bowling Green State University, USA.  
Corresponding author: Albert Dzur at awdzur@bgsu.edu.

Coping with the differences in the surroundings where I grew up was a bit challenging for me, but I also developed this sense of how to overcome differences, to see similarities with people who are outwardly different. And that issue became more important to my life when the war started in the former Yugoslavia. Through media propaganda, we began to think about people from other nations as enemies. This was the time when I started to read literature on restorative justice.

Even before that time, I was attracted towards a restorative approach through my research for my Master's and PhD theses in victimology. I read the works of victimologists such as Hans von Hentig and Ezzat Fattah, who drew my attention to the interlacing roles of victims and offenders, and to the fact that it is mostly not black and white when it comes to these roles. I became aware that, because of this, it is not so easy to resolve the situation after the crime.

Later, I was really interested in all these issues in connection with the war. Professor Gerd Kirchhoff, the then president of the World Society of Victimology, a good friend and colleague, came to Belgrade in the year 2000. The Victimology Society then organised a conference on the consequences of the war, particularly focusing on victimisation. I think he was the first person in Serbia to start talking about the need for reconciliation. And that was an awakening for me. I started to look at the literature – rereading Nils Christie and critical criminologists such as Stanley Cohen who also criticised the criminal justice system. That was the main point of departure for my research and practical work in the field of restorative justice. Most of my work became connected to restorative justice in the post-conflict context.

## 2 Responding to the Yugoslavian conflict through collective action and victim advocacy

*Dzur:* You mentioned how people from different cultural backgrounds, who had lived harmoniously, turned into enemies because of propaganda and rhetoric. What was it like as a trained victimologist, a critical social scientist, at the outset of the conflict, to observe what must have seemed like crude techniques of forming enemies and turning cultural differences into rigid boundaries?

*Nikolić-Ristanović:* It was really difficult, particularly because I was not alone in this feeling of interconnection with people who are in some way different. Yugoslavia was a multicultural society and it came as a surprise to many people. It was really difficult to know what to do. Basically, from the beginning my strategy was to be with those who were not nationalist politically, who were against the war, who went to protests and demonstrations. We had demonstrations in Serbia from the early 1990s. That is one aspect. And the other aspect was that I first joined an NGO, *European Movement in Serbia*, within which I was coordinating activities of the Group for Women's Rights. And then in 1997, we established a Victimology Society of Serbia with the aim of doing action research, advocacy and providing support for victims. We carried out different antiwar activities, war-related research and support for victims of war through these organisations. We also had refugees in

Albert Dzur

Serbia, whom we tried to help, along with protesting and advocating against war and against division.

This propaganda which goes through the media is really so strong, and this made me think about the potential of restorative justice to prevent conflicts. But from my experience, this is the main problem. You can get a restorative approach that is familiar to people if you work at the bottom, if you work at the micro-level, and at the level of social groups. But once you reach further up at the top level it is so difficult because those who make the decisions are only thinking about their political interests, about power, and they have the media on their side. We had independent media, of course, but they are not financed properly, they were not as strong and could reach only a limited part of the population.

This is the same problem I can see now at the global level. John Braithwaite made a fantastic analysis about the Ukrainian war recently (Braithwaite, 2022). But how do you get that analysis to the political leaders? That is really a big problem, because I think restorative justice is fantastic, and it can be most powerful in the prevention of conflict, but that is really difficult.

### 3 Strengths and weaknesses of restorative justice in macro-level conflicts

*Dzur:* This gets us to the question about the strengths and weaknesses of restorative justice concepts and practices in dealing with macro-level issues, like the conflict you saw in the former Yugoslavia. As you have just mentioned, one weakness might be its inability to attract elites more interested in power and political standing, and to shift the propaganda machine. Are there other weaknesses you could identify?

*Nikolić-Ristanović:* I think that is the main weakness. You cannot stop atrocities if you cannot reach those who have the power, the power to stop that.

*Dzur:* Do you think it is because the elites are drawing energy and support from conflict that they are not interested in resolving differences? That seems to be the case in my country, which is currently highly polarised. Or how do you see the problem of getting a restorative justice message to elites?

*Nikolić-Ristanović:* The problem is that once they start in the role, they want to win, they want to stay in power. They will make a resolution to go to talks only when they have to, at the end. Milošević had to speak with the others, but that happened after so many people lost their lives.

We tried to use restorative justice means to talk about what happened, and to bring these people who are divided together. But even so, after the war in Serbia, restorative justice was not something which was accepted.

What we wanted to do in the aftermath of the war was to develop a restorative approach to dealing with conflicts. We wanted to work with people from different segments of society, and this is what we did. We wanted to find the model they think is the most suitable for Serbia. We had a large group of mainly small NGOs who use the restorative approach in their work – restorative in the broader sense of using an inclusive approach. They dealt with victims, offenders and witnesses from

different backgrounds – from different nationalities, and also from different communities. These organisations were open to looking for the truth about the conflict, not only from the court, but also by speaking with people informally, and through the publicised exhibitions and testimonies.

But only some NGOs in Serbia were interested in restorative justice. Other NGOs were only interested in trials, and they considered the restorative approaches too soft. These other NGOs, which were stronger and bigger than we were, only used an accusatory approach, seeing Serbs as perpetrators and all others as victims. And, on the other side, there was a nationalistic movement, allied with Milošević, that completely denied the crimes that were committed by Serbia. They said that Serbs were victims and all others were perpetrators.

We wanted to somehow bring these two exclusive approaches together, to go in for something that would include these differences and reconcile them. After the war we had a lot of hostilities in Serbia around the issue of how best to deal with the past.

We worked very hard to develop a communication framework for talking about the past which we called the Third Way. The problem we had was how to sustain that, and to bring that up to the higher level, and to get the other, bigger, NGOs on our side. There was an initiative for a regional truth commission, the REKOM initiative, which was thought to have restorative elements. They wanted to avoid the language of ‘truth and reconciliation’ so we decided to call it a truth commission. And while they got a lot of money, they never got political support, so it was not a success. They wanted to collect the facts, to ask the victims to give testimony which would later be used by the court, and the only restorative element was the compensation that they asked for victims to receive.

All this time we were in the shadow of the initiatives which were oriented primarily towards retributive justice, which ignored us. Our attempts to talk with them, and to somehow work together, were not very successful.

*Dzur:* What in your heart of hearts would you have liked to see happen? Let us say your group of NGOs, which was promoting a truth commission style of dialogue, had managed to bring these larger, more justice-oriented NGOs over to your side. What, practically speaking, would you have liked to see happen?

*Nikolić-Ristanović:* I would have liked to see us work together and find the space for a restorative approach. We were not against trials. In some cases, of course, it was necessary. But we were for the broader use of a restorative approach because we were aware that we would never collect enough information to bring all crimes that were committed to a criminal procedure at the International Court, because they did not have enough time, procedurally, for all of what happened. Moreover, we believed that restorative approaches may help in healing war wounds in war-affected society and help establish long-lasting peaceful relationships. This is why the Third Way was developed as an inclusive model that recognises all victims and perpetrators, values respect, mutual recognition and support, non-accusation, proactivity, empowerment, and reintegration of all those affected by conflicts, as well as the use of restorative ways of dealing with conflicts.

Albert Dzur

There were many people with different experiences, including those who were participants in the war, who were fighting the war, who were ready to talk about what happened. That was not always about crime. It helps people to understand the entire context of what happened, and how it was managed, how being a soldier in the war was not a powerful position. Many people who were involved in our initiative were active participants in the war, and they became peace activists. They went to schools and talked to children about how they made the wrong decision and how that happened – how they were actually the victims of propaganda.

*Dzur:* Did you have in the back of your mind the South African experience?

*Nikolić-Ristanović:* Oh, yes, absolutely. But here, there was never talk about the possibility of amnesty, which was important for the South African commission. And that was also the problem, because amnesty and, in essence, the restorative approach, was not something that the international community wanted in the former Yugoslavia. It was a completely different situation in South Africa.

Here there was big pressure on Serbia to send people to the International Criminal Court for the former Yugoslavia in The Hague: first Milošević and then others. And this was also what the European Union and the other funders wanted to finance: this kind of project and not a restorative project, and not anything that might include amnesty.

#### **4 Violence against women in wartime**

*Dzur:* Let us turn to the question of violence against women. You had already been thinking about violence against women as a research area prior to the conflict. Were you surprised at anything that you learned about this during the civil war?

*Nikolić-Ristanović:* I was doing research on this in my Master's thesis and my PhD thesis, which I defended before the war. I think I was the first one who wrote about shelters and the need for support before we had those support mechanisms here, and also about the possibilities and need for legal changes. We started some advocacy for domestic violence and marital rape to become crimes in Serbia at the end of the 1980s, but then the war started, so we only finalised that, in fact, in the 2000s, after the war and political changes.

During the war, many NGOs were established to provide counselling services, sexual assault lines and shelters. We owe that to some feminist activists from Western countries, who helped us in terms of sharing experience through trainings, as well as financially. That applied to the former Yugoslavia, not only to Serbia, but they also included us in their training. This was really important, because there were many feminists at that time who did not want to even talk with Serbian women because they considered us as mothers and wives of the aggressors. Many did not want to have anything to do with us, but there were other feminists who trained us, and who helped us to establish this infrastructure for support.

*Dzur*: Is violence against women during conditions of war the same as violence against women in peacetime, only more so? Or are there different kinds of violence against women that you see in wartime? Is it quantitatively different, or qualitatively different, in other words?

*Nikolić-Ristanović*: There is definitely a qualitative difference, and also a quantitative one. There is probably more violence against women during the war. But no one cared about precise statistics during the war – in fact, we did not have precise statistics before the war as well since domestic violence was not considered a criminal offence, and sexual violence was only rarely reported and sentenced. That is also part of the problem. We do not have the data for comparisons. But when it comes to domestic violence, we noticed in Serbia that men who came home from the war started to become violent against their wives and children, or that this violence became even more cruel. That was connected with the war experience, with the war propaganda, and also with the different frustrations and gender role changes related to participation in the war.

Of course, sexual violence was quite widespread in the areas directly affected by the war. In the part of Serbia where I live, we did not have direct conflict. We had people coming from different parts of the former Yugoslavia after fighting there. We also had the experience with helping women who were raped in war – Serbian women, but also Muslim women who were married to Serbian men. They came into Serbia as refugees. We were also cooperating with the women's organisations in Bosnia and Croatia, so we absolutely knew what was going on.

I also did some action research with my colleagues in 1994, when we interviewed refugee women in Belgrade and other parts of Serbia about their experience of violence and war. Bearing in mind the media coverage about sexual violence, we were hoping to hear stories about sexual violence, but what we discovered was that actually women suffered many forms of violence during the war. When we asked them about the sexual violence, they said, 'Yes, that is terrible, I know. But for me the biggest fear was that something may happen to my child. I do not mind being raped if this would save the life of my child.'

The result of that project was the book *Women, violence, and war*, which was published in 2000 in English (Nikolić-Ristanović, 2000). In this book, the response to violence against women during the war was more inclusive and more in line with the restorative approach. We had women of different nationalities speaking about different forms of violence they endured during the war.

It was often said that Western journalists used to come to Bosnia looking for Muslim women who were raped and who spoke English. This was quite humiliating, and much criticised by women's activists and researchers, who believed that identifying Muslim women as rape victims was a simplification and a distorted picture. I do not want to say that Muslim women were not raped. I am sure that they were the majority of victims of sexual violence in the war, but I think that this picture is distorted. As Susan Brownmiller analysed fantastically in her book, *Against our will*, these tactics are based on the very patriarchal stereotypes which are used in every war, and it depends on the power balance (Brownmiller, 1975). War influences the re-traditionalisation of gender roles, and sexual violence is used



Albert Dzur

as a tool for the struggle between men. All those men who are occupying territories treat women as property of their enemy and by raping their women, they send the message to them that they are not able to protect them. When the situation changes, those who were defeated seek revenge, and then they rape the women on the opposite side.

That is why I do not like to speak about the numbers, because I agree with Brownmiller that in every war it was really this problem of treating women as objects and as the battlefield for men attacking other men. That proved true in this war as well. The patriarchal logic behind war rapes was particularly obvious in cases of so-called ethnic cleansing. Although it was in essence ethnic mixing, in war propaganda it was constructed in a way that impregnating the enemy's women will lead them to give birth to children of the rapist's ethnicity, while the women's ethnicity is considered irrelevant. This construction had a very strong impact on how people talked about it and a strong impact on victims who felt really helpless after becoming pregnant.

In speaking from the restorative justice point of view, the first thing is to deconstruct all these patriarchal constructions about who are the victims and who are the perpetrators and to understand why and how this happened. It is not so different in peacetime, because it is very much connected to patriarchal gender roles.

*Dzur:* Are restorative justice practices useful in working through the harmful effects of violence against women during wartime?

*Nikolić-Ristanović:* I think they can be useful in terms of opening the space for talking about experiences of victimisation, and, if possible, of experiences of victimising. But to be honest, I do not know about any such case in our context here. The only restorative aspect of dealing with the sexual violence in war were the compensation possibilities which were established in Bosnia and Herzegovina, and in Croatia.

*Dzur:* How did those work?

*Nikolić-Ristanović:* I do not have exact data. But as far as I have heard, not many women got it.

What is, for me, part of the powerful, restorative way of dealing with the violence against women after the conflict is what women in Bosnia and Herzegovina are doing in memorialisation. I was recently at a conference where they presented their project, which is called 'Peace with Women's Face'. This is a coordinated action of a number of organisations from all of Bosnia and Herzegovina, and from different ethnic groups. They are naming the streets with names of women, and they have also produced a video with the stories about the women who were killed in the war, with details of what happened to them. Moreover, they successfully advocated for 8 December to be established as the Day of Remembrance of women victims of war.

These kinds of actions are really powerful in this post-conflict period, bringing all these truths about what happened to the public, showing that it is something

that happened in different contexts. And to communicate, too, that women were not only victims of rape. They were also victims of different forms of physical violence, and many women have been killed in the war as well.

## 5 Feminism and restorative justice

*Dzur:* We have been talking about patriarchy and power. You have written and thought a lot about feminist theory and methodology. How does that connect with restorative justice in your view? Do you feel like restorative justice theory and practices harmonise with feminism?

*Nikolić-Ristanović:* I think they are on the same page because they both look at victims in an empowering way which provides respect and support. But restorative justice is not popular as a way of reacting to violence against women. Feminists tend to look at the victim and offender with a black and white approach. And they are very often on the side of a punitive approach and against the use of restorative justice. We can see that also in the Council of Europe's convention, which is known as the 'Istanbul Convention', where there is a limitation in the use of restorative justice in violence against women cases. I think it is very much in line with what feminists advocate.

*Dzur:* Do you think there is a possibility of rapprochement, of either bringing more feminist groups into the restorative justice world or bringing restorative justice more into the feminist world? What are your thoughts on how to bridge the differences?

*Nikolić-Ristanović:* I think maybe, if there is more exchange between the two, more conferences and open talk, that would be helpful. Because I do not think that we can be happy with the criminal justice response to violence against women. It is really sad how it works. I know the situation in Serbia, but I was also recently following the situation in France, and I see that problems with the criminal justice system are everywhere. It would be good to somehow reconcile the two. There is a conference scheduled for 15 May in Montreal, organised by Jo-Anne Wemmers.<sup>1</sup> This title is 'Gender-based violence and restorative justice: A victim-centred approach', and I am really eager to hear what is going on.

These kinds of events may be useful. It is interesting, and I think it is really good, that in that conference there is a woman speaking who was a victim of sexual violence, and who went through a restorative justice process. That may be interesting for the discussion and for understanding.

But I must say that when I talk for the media in Serbia and anywhere publicly, it is really so difficult to even talk about the restorative approach. And it is even harder to talk about it in a way that you can see that this man who is abusive may have had some problems which make him become violent, and also that this woman

1 <https://www.cicc-iccc.org/en/events/colloques/gender-based-violence-and-restorative-justice-a-victim-centred-approach>.



Albert Dzur

did not know how to cope with that and communicate with him. It is difficult to talk about these cases in a way that makes space for a more profound understanding of interpersonal dynamics in violent relationships. This may be helpful in particular for the prevention of further abuse. It may be prevented if there is an understanding that there is something on both sides which can be changed – not always, but in some cases. It is particularly important, as my research and that of others shows, that many victims of domestic violence do not want their abusers to be punished. They want the violence to stop, and they want to continue to be together. So that is the space for restorative justice, definitely.

*Dzur:* There might be things that restorative justice advocates can learn from the feminist movement. The focus on power, for example, and the ways that male power is part of the taken for granted institutional environment in almost every country. These are things that could be brought into restorative justice practice more.

*Nikolić-Ristanović:* Definitely. Yes.

## 6 The current status of restorative justice in Serbia

*Dzur:* Let us move on to talk about restorative justice in Serbia, and in the former Yugoslavia more generally. Where do you see it happening?

*Nikolić-Ristanović:* First of all, restorative justice is not so well-known as a concept. It is rarely used. Most people do not know what restorative justice is, except those who are dealing with it academically.

Also, it is not a legal term. What is known in the law is ‘mediation’. We have a law on mediation, and mediation can be done in connection with different laws, including in connection with criminal law. But in criminal law it is not very much developed. Mediation is used mostly in cases of discrimination, disputes related to work, and also in civil law. In the criminal procedure, it is possible to use it in some procedures for minors, and also for adults, and it is mostly connected to diversion from the procedure. In some cases, it is possible that the criminal procedure can be stopped if the perpetrator is willing to do something for the victim, to compensate or arrange for something to be done. But it is very rarely used. It is not often possible, but also it is just not used.

*Dzur:* There is no real attachment to restorative justice within the legal system.

*Nikolić-Ristanović:* Yes, that is correct. And mediation is something no one actually understands, except the very narrow circle of us who are dealing with this academically. But people usually do not connect mediation and restorative justice, so they do not know what it is.

*Dzur:* Are there NGOs there that are advocating for restorative justice?

*Nikolić-Ristanović:* There are some NGOs. Within the Victimology Society of Serbia we had some projects, and also in our conferences, we will always get people who make presentations on restorative justice which we publish. To be honest, I cannot remember other NGOs who are really pushing this. That is still not very much developed.

When it comes to the use of restorative justice in prisons, it was used only within some projects. For example, in one correctional institution for juveniles, it was used to solve conflicts between the minors and prison staff. But that lasted only several years and after that they did not have funds, and then it stopped. The Victimology Society of Serbia did a project on raising awareness about victims and restorative justice in women's prisons and unfortunately it also lasted only during the span of the project. This was really so sad, too: so many good things were started with the project. And then, when we went to the government to ask them to continue funding it, they said, 'Okay, that is nice. But we do not have money for that'.

*Dzur:* What were you hoping to do in the women's prison? How were you enacting restorative justice? Can you walk me through the project?

*Nikolić-Ristanović:* The project intended to raise awareness about the consequences of crime on the victims and their needs and also to teach incarcerated women how to be more restorative in solving conflicts. How to communicate was another aim: how they should communicate with people when they leave prison. Very often they are angry with everyone, particularly the system. First in prison, and then outside they go and speak with people, with accusations and without respect for others. So we tried to teach them how to be more respectful to others, and how to be aware of what is going on within themselves and within others, to be aware of the present moment, how they feel in that moment, and how to control that. We also encouraged them to pay attention to the feelings of others, and not to have automatic reactions.

We included yoga in this programme, which was connected to teaching them about being mindful and being present in the moment. They are to be in the here and now with complete awareness of what is going on, not to have automatic reactions, but also to use breathing techniques to calm down. As they said to us in the evaluation, 'When I'm calm, I can think properly.' That was a really good conclusion they drew from that.

*Dzur:* People really seemed to respond to the yoga?

*Nikolić-Ristanović:* Yes, they responded very well, which was a bit of a surprise to me. I was curious to try that, but on the other side it was a bit scary: how would they react? I thought some would have difficulty with that. No, actually, they were very grateful.

What they did was breathing and relaxation exercises at the beginning of the workshops. The experience we have from previous workshops connected to different topics was that they usually come in very tense with the problems they have had previously. And they could not focus on the topic of the workshop. So I

Albert Dzur

decided to do yoga at the beginning. Then, when they got in a circle to share how they felt during the exercise, they told me that they could feel how their body was relaxing, and that it was a very good feeling. There was one exercise where they were to imagine that they are on a sandy beach. And I was thinking, 'Oh, my God maybe they will start to be sad because they could not go.' But no, one prisoner said, 'All that brings to me a memory of the time when I often went to the seaside and that was a nice feeling.' So they reacted very well.

*Dzur:* How long was the yoga part of the session?

*Nikolić-Ristanović:* Not more than half an hour. This kind of exercise is usually short. I gave them a short text, which I taught them by guiding them. And I taught them to do it themselves, which is not easy. I do that myself to calm down. Many people say they cannot do that, but there were prisoners who said that they very successfully use that to calm themselves. And they use that with other prisoners. We were a small group, but then they pass that to other prisoners, and that is really powerful.

I also included in this yoga exercise some elements which focused on reconnecting to their bodies. Some of these women were also victims of very serious violence and these women have the problem of being estranged from their bodies. I included these techniques along with the elements which should motivate them to respect even people they do not have good relations with. That is all done through a kind of meditation. It can be really powerful if people are focused.

This was a really big surprise for me because, in addition to learning how to be calm, they responded very well to all these elements, which contained restorative messages I passed through to them in the form of guided meditation.

*Dzur:* That is an interesting connection between the meditative practice and physicality, on the one side, and rational dialogue on the other.

*Nikolić-Ristanović:* We did not have the possibility to do a physical exercise – *yoga asanas*, but we did *yoga nidra*, which is circling throughout the body mentally. I think yoga and restorative justice can be synergistic and can empower each other. What we did was teach prisoners how to communicate more restoratively, and yoga had an important part in that.

*Dzur:* Restorative justice is sometimes conceived quite rationalistically as an exchange of reasons. But also important to the process, as you are seeing, is proximity in space with other people, being aware of your own body, and being aware of other people, even prior to the sharing of reasons through discourse.

*Nikolić-Ristanović:* Yes, absolutely. That was also my experience with the work on restorative justice in connection with post-conflict settings, and with people who live in multicultural societies. This is an approach for people to communicate with others from different segments of the society, or from different groups with whom they have a problem. This helps them to open up. There are many obstacles that are related to prejudices about others, and these obstacles dissolve spontaneously.

## 7 Participatory processes in local communities

*Dzur:* You were part of the EU-funded project ALTERNATIVE that focused on participatory processes and local communities. Can you talk a little bit about that and about how action research was involved?

*Nikolić-Ristanović:* In this project we continued to work on what we did at the beginning of 2000, in developing a third way of dealing with post-war conflicts. We were testing and upgrading this approach in multicultural settings near the borders of Croatia, Bosnia and Kosovo. These are the areas that were most affected by the wars in the 1990s, more than the other parts of Serbia. This is important for us, because previously we did this work mostly in the parts which are not so multicultural.

First, we did quantitative research, but this also had elements of action research because we spread information about organisations that could help assist people. That was also how we tried to raise awareness about restorative justice as a possible way to solve conflicts. Restorative justice was also embedded in the survey questions, which were about victimisation and security. This survey was the basis for us to develop a series of workshops in which the main action research was conducted.

These workshops were discussions around three topics. One was on communication about the issues that are hard topics in these communities. We used the survey findings and gave them some topics to discuss which may be provocative, like which ethnic group was more victimised, or whether women or men were more victimised in their community. We did this in a way that established a certain kind of context for communication so that they could control themselves. We set the ground rules for the communication, and these ground rules are in the spirit of restorative justice: to respect each other, not accuse others, allow that people have different experiences and see the same things in different ways. That was how we told them about the restorative dialogue.

The second workshop was about the needs of victims and the support that they could get. They had the opportunity to draw – not to talk and not to write about their victimisation but to draw pictures and then describe them. The main purpose of this workshop was for people to get the sense that there are so many similarities between their experiences, although they are quite different.

The third workshop focused on restorative justice specifically, where they had experiential learning about restorative circles. We demonstrated the restorative circle for them, using examples from the survey. For example, one case had to do with policemen from one ethnic group harassing a member of another ethnic group. We also used yoga breath and relaxation techniques because it was very important in between different activities that they could calm down, and that contributed to them feeling safe and relaxed to talk.

*Dzur:* How were people recruited to be part of these workshops?

*Nikolić-Ristanović:* We had contact persons in all these three communities, and we gave them criteria: we wanted to have people from NGOs, and also from state

Albert Dzur

institutions and religious organisations; people who were victims, as well as those who participated in the armed forces; women and men; younger and older people. We tried to cover different segments of the society.

*Dzur:* Do you see this as an effort at public education? Namely, that you are modelling forms of dialogue that people can take into their neighbourhoods and recreate?

*Nikolić-Ristanović:* Yes, this was exactly one of our aims. What we wanted was to have people with wide networks, so they could then bring what they learned to people they know. One of the products of these seminars was a manual on best practices used in these communities. As part of the follow-up, we talked with them and asked them to send us the examples of good practices where restorative justice is used to solve conflicts. We produced a manual, which everyone could use for education and in everyday activities.

*Dzur:* This gets back to something you said at the very beginning of our conversation about restorative justice having an impact moving up from the micro-level rather than moving down from the institutional and state level. Is that how you see systemic change in Serbia, to reproduce networks at the micro-level that then reinforce each other and eventually make more demands on the system to shift in a restorative direction? Is that how you see things?

*Nikolić-Ristanović:* Yes. This is how change happened in the legal system and the institutional system related to violence against women. But when it comes to restorative justice, it is more difficult. When it is a question of violence against women, there was more pressure from the international community. International documents are brought which obliged Serbia to change laws and institutions. But when it comes to restorative justice, we do not have as much outside support. We did not sustain these activities, although we had very motivated people in these three communities, and we had the idea to spread this further with people in the region. We had some meetings with people from Bosnia, and they were very interested to work in the same way.

We attempted to get funding to continue the project, but we were not successful. That was before Covid, and since Covid a lot has changed in terms of funding. We are now trying to see how to continue and sustain these activities, at least, as you said, to consolidate for advocacy. I think it is not only in connection with conflicts from the past and present conflicts related to the war and the previous conflicts, but also when it comes to restorative justice in general. As I told you at the beginning, restorative justice is not recognised in our society, and that is a big problem. Somehow, we need to have institutional support, but I do not know if our advocacy alone is strong enough to achieve that. I think we really need some kind of support also from the international community, understanding where we can learn from people from other countries, how they have managed to bring this to this institutional level.

## 8 Looking to the future

*Dzur:* What do you see as the most important issues faced by advocates of restorative justice in the coming years?

*Nikolić-Ristanović:* As I just said, how to institutionalise it, to bring that to the institutional level and get it recognised. That is the situation in Serbia, but it is the same story in the region and the other parts of the former Yugoslavia. More globally, too, I think it is also the main challenge, because we are not really powerful enough to bring restorative justice to the level of international relations, as we see in the case of Ukraine.

*Dzur:* In these difficult times what gives you hope for change?

*Nikolić-Ristanović:* I always have hope. I think if we are calm, and if we have this inner peace probably that will bring something new. I know in everyday life, if I am too eager to get something, it never happens. But if I just calm down, and I am busy with something completely different, the things just happen by themselves. Something will be resolved but when and how, we will see.

I can finish with something which is in the spirit of yoga. I think the only hope is to be now and here in the present moment. That is the only thing. If we are too much in the future, it does not help, really. But of course, we should think and work towards a better future!

## References

- Braithwaite, J. (2022). Putin's war: restorative reflections. *The International Journal of Restorative Justice*, 5(2), 1-11. doi: 10.5553/TIJRJ.000117.
- Brownmiller, S. (1975). *Against our will: women, men and rape*. New York: Simon and Schuster.
- Nikolić-Ristanović, V. (2000). *Women, violence and war: wartime victimization of refugees in the Balkans*. Budapest: Central European Press.