

The Perception of Femicide from the Third Party's Perspective: An Analysis on Justice/Injustice in Türkiye

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Abstract

The main purpose of this study is to determine what kind of effect (emotion) the sense of injustice, which is seen as the structural cause of femicide in Türkiye, leaves in the social memory and what kind of measures such an effect leads to taking to prevent femicide. In the study¹, quantitative (number of tweets-14,214 tweets) and qualitative (content of tweets and google questionnaire conducted with 94 people) research methods were used together to analyze the content of the data obtained. Therefore, in the methodology of the study, the texts of the tweets in the sample group were first uploaded to the MAXQDA computer software program, and then justice/injustice, basic principles of justice, reasons for criminal injustice and positive/negative emotions were entered into the system. The main finding of the study is that, due to the violation of basic principles of justice in the Panoptic patriarchal legal system in Türkiye, inadequate sentences given to perpetrators as the representative of Panoptic patriarchal power, on the one hand, encourage other men to resort to lethal violence; on the other hand, it leaves victims (and potential victims) vulnerable to the injustice of condemning them to new victimizations. The third party reacting to this situation is characterized by intense feelings of anger, mistrust, helplessness and sadness, but nevertheless hopeful that justice will be served.

Keywords

Femicide, Panoptic Patriarchal Power, Emotion, Justice

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1. Introduction

In today's world of post-neoliberal times, there is a steady increase in fatal violence against some women who do not submit to the conservative Panoptic patriarchal power. For example, of the 25 countries that feature high and very high femicide rates, more than 50 percent are in the Americas: four in the Caribbean, four in Central America, and six in South America. Seven countries reported high or very high femicide rates in Europe: three in Northern and four in Eastern Europe. Among the remaining countries, three are in Asia and one in Africa. Some countries, such as the Bahamas, Belize, and Guyana-are home to female populations of fewer than 500,000 individuals. In these and other small countries, even a few killings of women generate a relatively high femicide rate. For example, with a total count of seven female victims of homicide and a female population of approximately 141,000, Belize has a high rate of 5.0 per 100,000 (Alvazzi del Frate, 2011: p. 119).

For selected countries (2005), as a country's femicide rate decreases, the percentage of total murder victims who are women increases. In countries that have relatively high overall homicide levels, female homicides represent between 7 and 13 percent of total homicides. Colombia, El Salvador, Jamaica, and South Africa have particularly high female homicide rates. For countries with lower overall rates of homicide (Germany, the Netherlands, and Canada, for example), the proportion of female homicides is higher, falling between 27 and 46 percent. Femicide rates per 100,000 population (2005) for some selected countries are as follows: El Salvador, Jamaica (2004), South Africa, Guatemala, Belarus, Colombia, Honduras, Brazil, Kyrgyzstan, Ukraine, Türkiye, Bulgaria, Germany, Nicaragua, Hungary, Canada, Czech Republic, Netherlands, Ireland (Global Burden of Armed Violence, 2008: pp. 80-81).

The average femicide rates per 100,000 female population in the 25 countries and regions with high and very high rates between 2004 and 2009 are as follows: Countries that exhibit high rates of femicide also tend to feature high rates of homicide. At the country level, El Salvador, Guatemala, Jamaica, and South Africa all report rates of 10 femicides per 100,000 female population or above. Indeed, El Salvador ranks first in both femicide and lethal violence in general. In addition, Guyana and Honduras register extremely high rates of femicide. In all these countries, the femicide rates are up to five times higher than overall homicide rates in most Northern, Western, and Southern European countries (Alvazzi del Frate, 2011: p. 119). With a rate of 12.0 per 100,000 people, El Salvador is the country with the highest femicide rate, followed by Jamaica (10.9), Guatemala (9.7), and South Africa (9.6). In countries marked by high levels of lethal violence, women are more frequently attacked in the public sphere, including by gangs, and organized criminal groups; in this context, femicides often take place in a general climate of indifference and impunity ((Alvazzi del Frate, 2011: p. 120) as cited in (Nowak, 2012: p. 3)).

In Türkiye, which ranks eleventh in the list of countries with high rates of fe-

micide, the number of women killed between 2008 and 2022 is as follows: 66 in 2008; 125 in 2009; 203 in 2010; 130 in 2011; 147 in 2012; 232 in 2013; 291 in 2014; 294 in 2015; 292 in 2016; 351 in 2017; 407 in 2018; 424 in 2019; 414 in 2020; 425 in 2021; 396 in 2022; Until March 1, 2023, 42 femicides were committed (Anit Savaş, 2023).

These data seem to explain the tweets with a wide variety of hashtags to create an alternative digital public opinion (Twitter) to produce urgent solutions to the problems of women who have recently been subjected to fatal violence in Türkiye solely because of their gender. Because between 2008 and 2023, as in other countries, there has been a significant increase and continuity in the rate of femicide in Türkiye. On average, 295 femicides were committed in the country every year between those years. The main reasons for this inhuman brutality include rejection, demand for divorce, jealousy, hostility, quarrels, and unspecified reasons (these reasons should be considered within the framework of other situational factors. These factors include class, gender, ideology, conservative post-neoliberal subversive-patriarchal power relations that blend global-local interconnectedness, etc.). The most common methods of killing are cutting instruments, firearms, strangulation, burning, throwing from a height, inflicting pain and battery. Perpetrators are mostly their own husbands, lovers, family members and other men they know. Very few were complete strangers.

When the problem is examined in Türkiye, the increase in the number of femicides has prompted academics, civil society organizations and women's platforms to organize in the digital environment and become each other's voice. To prevent this outdated and inhumane act, it is requested that digital public opinion be created, and that lawmakers and practitioners immediately implement criminal justice to guarantee women's right to life, which is the most fundamental right of women. Therefore, while "patriarchy" is recognized as an important factor in women's violence, the study argues that in the free market, different manifestations of this historical cause (destructive, oppressive, and protective in the form of re-dependent women) have become more evident. The main argument of this article is not to talk about the existence of various patriarchies. On the contrary, it aims to draw the attention of lawmakers and practitioners by making visible some of the negative emotions (anger/anger, insecurity, helplessness, sadness, surprise, injustice/disappointment, etc.) left in third parties by the deadly violence against women, which is reduced to numerical data and continues exponentially due to the lack of adequate measures, in a new form of intellectual activism (digital activism). For this reason, the concept of Panoptic patriarchal power will be briefly discussed first. Then, the criminal injustices caused by this power will be evaluated through the theoretical meaning of justice and its types. Then, in the light of the data obtained from the tweet and the interview form, some conclusions will be drawn on the problematic of what can be done urgently to prevent femicides.

2. Panoptical Patriarchal Power

The determinacy of various roles of masculinity and femininity in the production and reproduction of discriminatory gender policies should be considered. In its most general definition, “patriarchy” is a transhistorical and cross-cultural reference point that is freely circulated. [Connell \(1998, p: 268\)](#) states that “patriarchy” has both external and internal explanations (customs, traditions, and power structures) that emphasize the determinacy of gender inequality, and different schools and theoretical contexts that recognize that the categories precede or follow practice. For instance, structuralist theorists treat “patriarchy” or “paternal law” as a form of interaction in how the world is imagined, rather than as forms of social relations. From the 1970s to the 1980s, radical feminists argued that masculine power and privilege is the root cause of all social relations, all forms of inequality and thus femicide, while all other relations, such as class and race relations, occupy a secondary position ([Dworkin, 1987; MacKinnon, 1989](#)). Socialist feminists, on the other hand, have sought to grasp the intersection of patriarchy and capitalism and thus to show how gender and class inequality and this structural intersection affect social action, femicide ([Messerschmidt, 2017: p. 71](#)). However, [Connell \(1998: p. 72\)](#) argues that in different definitions and processes, there is a consensus that women are subordinated to the sovereign.

At the intersection of these approaches, one can metaphorically speak of a similarity between the Panoptic mechanism and patriarchal power relations. For example, Michel Foucault’s interpretation of the isolation of each “actor”, especially if Judith Butler’s notion of the performativity of gender is considered, this similarity can be established. In other words, every man must display his masculinity in front of some kind of observer; moreover, there is an observer who judges every man’s interpretation of masculinity ([Buchbinder, 2013: p. 80](#)).

Foucault says that in the cells of the Panopticon, everyone is seen but invisible; he is the object of knowledge but never the subject of communication ([Foucault, 1992](#)). Foucault also continues his words as follows:

This is the main effect of the panopticon: To create in the prisoner a conscious and permanent state of visibility that ensures the automatic functioning of power. Thus, even if the act itself is impermanent, the effects of surveillance are permanent; the relations of power are perfect, the actual exercise of power is superfluous, this architectural apparatus, the person who exercises it, must be free in order to create and maintain a relation of power; in short, the prisoners themselves must be part of the relations of power of which they are the bearers ([Foucault, 1992; Buchbinder, 2013: p. 80](#)).

Panoptic patriarchal power is the central organizing principle of all social life and is distinguished from truth-making regimes by its specific knowledge practices and power strategies derived from authenticity and authoritarian procedures of expression. The sovereign determines appropriate forms of action and behavior and legitimizes the arbitrary structuring of power relations through the complicity of the dominated. Yet due to the subtlety of these practices and the

disposition of the oppressed group, those imprisoned within the bars and confines of the iron cage are rendered almost invisible (Shaw, 2020: p. 89).

In a way, panoptic patriarchal power must be visible and unverifiable. Visible: some women (subject-victims) are constantly in sight, watched/controlled by the central tower (society, culture, family, politics, etc.). Unverifiability: At any given moment, the subject will never know whether she is being watched or not. But she must always be sure that this might be the case. In fact, some women should be allowed to feel free (in fact, this is not real freedom, but the illusion of freedom). It is precisely at this point that female subjects become objects of lethal violence.

Panoptic power prevents the mistreatment of those under its authority and promotes their emancipation. The power defined by the panoptic paradigm is spontaneous, silent, recorded, hidden, and threatening. Therefore, in its universalization, it contains the principle of self-limitation. According to Bentham, this is how the Panopticon ensures the happiness of the population, the ruler and society in general (Tusseau, 2012: p. 130-135).

Jeremy Bentham's theory of law is a true description of the methods of influence of men over others and contributes to unraveling the pantomime of power. To pursue this, Bentham creates a self-sustaining dynamic that increases the "capabilities" of prisoners, the poor, the guards, the public and finally the rulers. Bentham studied the possibilities of a practical application of the technique of the principle of utility, first on a limited scale and then on the scale of the whole political society. Thus, Bentham realized the two aims of penal utility: To deter people from committing crimes through the certainty of punishment rather than violence, and to bring about moral reform. However, from the point of view of the increase in fatal female violence, it can be said that these two principals have not been realized. Because the Panopticon's inability to prevent lethal violence is an unintended and unpredictable consequence of it. In addition, the first designed version of the Panopticon has been deliberately used by different powers to turn men into Panoptic inspectors while imprisoning women in iron cages. In other words, while applying the policy of impunity to men; it could not prevent violence against women. As a result, contrary to its initial design, the Panopticon has paved the way for criminal injustice and deadly female violence.

For example, in Aka (2019)'s study, some tweets posted after the brutal murder of a university student named "Özge Can Aslan" point to the seriousness of the problems in the functioning of the justice mechanism in the country as a structural cause of violence against women and femicides. *"If we beat those who harass women on the road with their words, we would get more punishment than murderers and harassers."* *"This is justice in this country, there is no justice at all in this country and if it continues like this, more lives will be lost"*, *"prisons had their own justice system. I think for Özge Can Aslan, the manifestation of conscientious justice would be in prison"*. *"In this country, perverts, rascals and dishonest people do not end. Because again, justice was the weakest link in this country"*. *"We have a pepper spray to protect ourselves and we are punished for*

it, but there is still no solution to harassment, is this justice?” These tweets show that there is a general perception of injustice and injustice in the law in the country and that this situation works in the interest of men.

In the same study, Aka found in her interviews with women who had been subjected to violence that anger, hatred, mistrust, fear, loss of self-confidence, and feelings of nothingness were intense, but that women developed their own management techniques to survive (motherhood, being a working woman, having the hope that one day they will surely survive the trauma of violence, the necessity to be strong, receiving support from relatives and medical support, etc.). However, these techniques have not been able to stop femicides and prevent women from having to deal with Panoptic emotions throughout their lives. This is because these experiences, while some women are locked in Panoptic cells (mental cage - controlled object), some men have become the subject of Panoptic patriarchal power. Nevertheless, it is quite meaningful that there are different perspectives in the social, political, and legal spheres, that different actors (athletes, artists, educators, etc.) and different references (examples from religious and literary texts, the unity of determined and angry women, etc.) still have positive effects. In other words, it is promising that there are alternative structures and perspectives that oppose the destructive patriarchal Panoptic power in the entire social and legal space.

Costantino (2006: p. 110) notes that as of the end of 2005, the courts had convicted and sentenced only twelve men to prison terms in 1227 cases of women murdered between 2002 and 2004, with twenty cases still pending. According to her, “murdered women constitute Guatemala’s most vulnerable population, lacking close family or community ties due to migration, geographical location or work, with limited access to the legal system, or working in public spaces that cultural values still mark as masculine”.

In Shalhoub-Kevorkian’s study, murdered women are held responsible for cultural murders committed in Palestinian society under the name of honor killings and are re-victimized within the dominant masculine discourse. In this context, cultural murders are evaluated within the framework of local criminal justice. According to Shalhoub-Kevorkian (2002: p. 598), “in essence, the killer and society are reconfigured as victims, and the victim is made the guilty party. Women’s sexual, physical, and social lives are sanctified and acts of violence against women are constructed as legitimate ‘protective’ behaviors rather than crimes”.

3. Justice/Injustice, Principles of Justice, Emotions

Fiat justitia, ruat coelum (*Let justice be done, though the heavens fall*).

Roman proverb attributed to Lucius Calpurnius Piso Caesoninus

Justice is the principles of law applied to the facts of a case. Most dictionaries define justice in terms of “being honorable and fair in one’s relationships and actions” and “being consistent with moral truth” (American Heritage Dictio-

nary, 1976; as cited in (Reis, 1984, p. 40)). According to social science researchers, justice is a kind of cognitive evaluation, but it is an evaluation that evokes a lot of emotions and can be evoked by emotions. That is, it seeks to understand what people believe is fair, not what is actually fair according to pre-existing moral norms (Cropanzano, Stein, & Nadisic, 2011: pp. 17-18). Like crime, justice is an idea. It is not an entity. It is a multidimensional concept whose referents move together with the morality underlying the concept. This is why one speaks of just persons, just decisions and just institutions. Moreover, the concepts of commutative (contractual) justice, legal justice and distributive (social) justice refer to different contents of justice (Emmons 1970; Gallie 1970; as cited in (Nettler, 1979: p. 28)). To be fair is to act according to the rules. To be just is to act in accordance with the law instead of acting capriciously (Benn 1967; as cited in (Nettler, 1979: p. 28)). Fairness is a reminder that all is well and that one should now pursue meaningful work.

Injustice, on the other hand, is simply the feeling of being wronged, varying in intensity and acting as an alarm system that mobilizes people. However, injustice can sometimes lead to action and sometimes to inaction. This is because a cost-benefit analysis can be conducted to ensure that the victimization situation does not lead to new victimizations, new helplessness, new fears, new sadness and new insecurities. At the same time, the perpetrator's apology or lack of remorse can affect victims and their supporters very differently. On the one hand, the individual/individuals who are experiencing a very heavy sense of loss, coping with this loss on the one hand, and the contradictions of continuing their lives on the other hand, may have to deal with the impact of Panoptic patriarchal power for the rest of their lives without much choice. On the other hand, the fact that the perpetrator will be involved in social life again and that they will encounter him/her may cause them to experience negative emotions and force them to live in an iron cage for the rest of their lives. Another radical option is to vow revenge against the perpetrator and continue to be harmed. Because life is now a state of interruption for the bereaved in any case.

Therefore, bereaved relatives and potential victims react in very strong emotional forms (positive/negative) to the feelings of injustice they experience. For example, the application of the principle of equality, the elimination of uncomfortable abhorrent situations, can create a sense of relief. In addition, feelings of revenge, anger, distrust, helplessness, sadness, confusion and loss of faith in justice are natural consequences of injustice.

Ahmed (2004: p. 245) argues that "injustice has other possible consequences, such as anger, hatred or disgust" and that the complex relationship between violence, power and emotion needs to be made explicit when responding to injustice. Jasso (2006: p. 321) states that "justice and emotions overlap because the sense of justice triggers emotions at every stage of the justice process".

While the research on justice and emotions has been divided into three parts: distributive, procedural and interactional justice (Cropanzano, Stein, Nadisic,

2011: pp. 30-31), the interest in punitive and restorative justice² has also become increasingly important due to the “emergence of different questions about the nature of emotions” in justice processes (Hegtvedt & Parris, 2014: p. 104) and the violation of these three principles of justice.

Having made this reminder, it is of course impossible to describe the sense of injustice felt by both women victims and their advocates, as well as potential victims, when women are deprived of their right to life, often by those closest to them, due to the objective application/non-application of the principles of justice. But the idea that the objective practice of these basic principles of justice (at least regardless of the social-cultural and economic and symbolic capital of the perpetrators) will prevent femicides is of indisputable importance. The relationship between these principles and emotions will therefore be briefly reviewed below.

Distributive justice refers to people’s moral values ((Austin & Tobias, 1984) as cited in (Wemmers, 2010: pp. 29-30)) and “the distribution of benefits and burdens (i.e. outcomes in general) in a social group” (Homans, 1974). Outcomes are incentivized when they are consistent with certain implicit norms for the allocation or distribution of resources, such as equity (everyone gets the same outcome) or need. In other words, victims’ judgments of justice are assumed to depend on the consequences or punishments meted out to perpetrators (Wemmers, 2010: pp. 29-30).

Distributive injustice can lead to negative emotions. For example, anger is one of the main emotional responses to distributive harm. According to Batson, Early, & Salvarani (1997), anger is related to reactions to injustice experienced by oneself, empathic anger and moral outrage.

Procedural justice has been studied in the context of individual responses to the resolution of disputes through the courts. Leventhal’s procedural justice approach is integrated with his “justice judgment theory”. According to this theory, people have a “cognitive map” of each situation based on their knowledge of events, expectations, and rules related to the situation. Furthermore, Leventhal assumes that people implicitly or explicitly attribute weight or relative importance to each rule (Austin & Tobiasens, 1984: p. 233).

Leventhal et al. (1980) list normative procedural rules as follows: 1) Consistency of procedures across people and over time; 2) Suppression of bias; 3) Accuracy of information; 4) Correctability (bad decisions can be changed); 5) Representativeness or “voice” of those involved in a decision; 6) Ethicality of standards. Tyler & Lind (1992) strengthened the analysis of procedural justice by identifying principles that focus on more informal relational processes between individuals: im-

²Restorative justice cannot be included in this study. Because while coding the data of the study, it was seen that four principles were mentioned and in fact the principle of retributive justice was emphasized the most.

Therefore, punitive justice and its actors (perpetrator, victim, prosecutor, lawyer) will be covered in detail in another study. The reason for this is that this study consists of data from only one part of the ongoing project.

partiality; commitment to status; trust (Hegtvedt & Parris, 2014: p. 104).

The most important determinant of procedural justice is the voice factor. This factor consists of two items: 1) being heard and 2) not feeling hindered when making a request. The second determinant of procedural justice is trust. This factor is based on two variables: whether the victim feels understood by the mediator and whether the victim believes in the mediator. Wemmers & Cyr (2006) concluded that victims' procedural justice judgments are more about consulting and recognizing victims in the process than about giving victims decision control (as cited in (Wemmers, 2010: p. 37)). Skitka et al. (2008) also note that more anger arises when outcomes are inconsistent with moral beliefs (even if achieved through fair procedures) and that this anger spills over into evaluations of the fairness of other situational elements.

Interactional justice is treating people with fairness, respect and dignity (Bies, 2001) and providing justification or reason for the treatment (Hegtvedt & Parris, 2014: p. 104). Roch & Shanock (2006; cited in (Cropanzano, Stein, & Nadisic, 2011: pp. 30-31)) state that this justice principle has at least four (not two) sub-dimensions (overly harsh evaluative judgments, lack of honesty, privacy violations and disrespect). Wemmers (2010: p. 35) says that it has at least two parts. And he reminds us that more literature is needed to say anything definite about these dimensions. According to him, the first dimension is the respect and courtesy that one person receives from another, and the second is the reference to whether full information is given about why decisions are made.

The fairness of procedural and interactional rules, in contrast to distributive justice principles, depends less on the situational context. However, some rules (e.g., consistency and voice) may be more important in certain situations (Lind & Tyler, 1988). Moreover, while the assessment of some procedural principles requires situational comparisons, procedural and interactional rules such as impartiality, fairness, respect and justification may be based on more objective standards (Hegtvedt & Parris, 2014: pp. 104-105). For example, despite similar treatment, victims rated their treatment by the police as fairer than their treatment by the prosecutor's office. Since there was no personal interaction with the prosecutor's office, victims' assessments of how fairly they were treated by the prosecutor are strongly linked to the information that the prosecutor's office shares with victims (Wemmers, 2010: p. 35). Carr et al. reported similar results (Wemmers, 2010: p. 35).

Retributive justice is concerned with punishing wrong behavior. Thus, when an individual harms another person, which is a violation of distributive or interactional justice, people believe that the offender should be punished. Retributive justice, then, focuses on the reasonableness and legality of punishments for "crimes committed" (Carlsmith and Darley 2008; cited in (Hegtvedt & Parris 2014: p. 105)).

The criminal justice system's obligation to both protect society and provide justice at the same time sometimes causes confusion. In practice, these two im-

peratives are sometimes compatible and often in competition. The paradox between the two imperatives is evident in “the expression of restraint, correction, deterrence (specific and general), educational symbolism, punishment, restitution and condemnation” (Nettler, 1979: p. 27).

Retributive justice validates a moral norm, deters future wrongdoing and provides a reprimand (Darley, 2002; Mahony and Klass, 2008; cited in (Cropanzano et al., 2011: pp. 90-91)). For example, jurors and arbitrators are more likely to be punitive when the evidence of employee misconduct is weak. Justice depends only partly on what the person does. Perceptions of justice can also be influenced by the people affected. Significant problems arise with the application of negative emotions such as hatred, anger and revenge, which were and to some extent still are responsible for animating oppressive laws, harsh legal principles and vengeful legal judgments (Shaw, 2020: p. 88).

In a study conducted by Goldman, he found that the relationship between injustice and taking legal action was partially mediated by anger. In other words, injustice caused anger and anger caused dismissed workers to take legal action. Moreover, injustice had the strongest effect on seeking rights among anger-prone individuals. Thus, the relationship between injustice and entitlement was consistently moderated by anger (Cropanzano et al., 2011: p. 93).

The results of Goodrum (2013)’s research on the victim-prosecutor relationship, focusing on people who have lost loved ones to homicide, are as follows: First, victims reported a close personal relationship with the prosecutor handling the homicide case, a relationship they could openly share and repeatedly express their anger towards the defendant. Second, although victims’ rights legislation does not give victims a relationship of authority in the criminal case or in the courtroom working group, victims play a special role in the criminal justice system as an emotional and vocal party, influencing prosecutors’ case decisions and changing authority relationships in the traditional courtroom working group. Third, prosecutors’ discretion and victims’ emotional advocacy have contributed to the recognition of victims as a new influence in the criminal justice system.

Goodrum & Stafford (2003) obtained the following findings in their study: Criminal justice workers want to help bereaved victims but are reluctant to connect closely with their grief. Workers’ encounters with bereaved victims brought obligations to express sympathy and resolve the case, and these obligations were felt emotionally. Criminal justice workers used their status to distance themselves from bereaved victims and emotion management strategies to suppress their own and others’ grief.

These findings serve as a reminder of the need to be careful that the rationality as well as the emotionality of the legal framework (victim and prosecutor interaction) can lead to a new injustice. In this context, the amount of punishment the perpetrator receives is critical for victims and their advocates, and for preventing the creation of new victimizations. In the justice process, feelings of injustice, anger/anger, insecurity, sadness, helplessness, confusion, relief, satisfac-

tion, renewed hope and the realization of justice can be both the cause and the consequence of each other. Or these emotions can be felt simultaneously. Therefore, more empirical research is needed to understand the complex relationships between justice/injustice, justice principles and emotions.

Justice/Injustice and Compliance Data in Tweets and Questionnaire

In this study, using 14214 tweets and a survey of 94 people to draw attention to the prevention of femicide in Türkiye, the emotional reactions of third parties (social actors) in the justice process were identified and then the role of these emotions in the justice process was analyzed. Then, a content analysis of the effects of these emotions (positive/negative) on social actors because of injustice and criminal injustice in general was conducted. This study is only a part of an ongoing scientific project (for detailed methodology and other findings see (Aka, 2022, 2023)). The data analyzed for this paper is derived from the third party's principles of justice and emotional reactions to the functioning of the criminal justice process in general. Accordingly, the findings of the analysis are detailed below.

Figure 1 shows the interrelatedness of the sense of justice on the third side (social memory). According to the figure, the codes hope/digital activism/social sensitivity/struggle (codes 352), necessary but difficult to achieve (codes 315) and empathy (codes 305) are highly interrelated to define the codes justice.

Figure 2 shows the correlation between negative emotions after injustice and the causes of criminal injustice. According to the figure, it is seen that anger/resentment (72 codes), insecurity (51 codes), despair (48 codes), hatred/grudge/vengeance (37 codes), distrust in the justice system/failure of justice (37 codes), inadequacy of punishment/deterrence (34 codes) occur together at a high level.

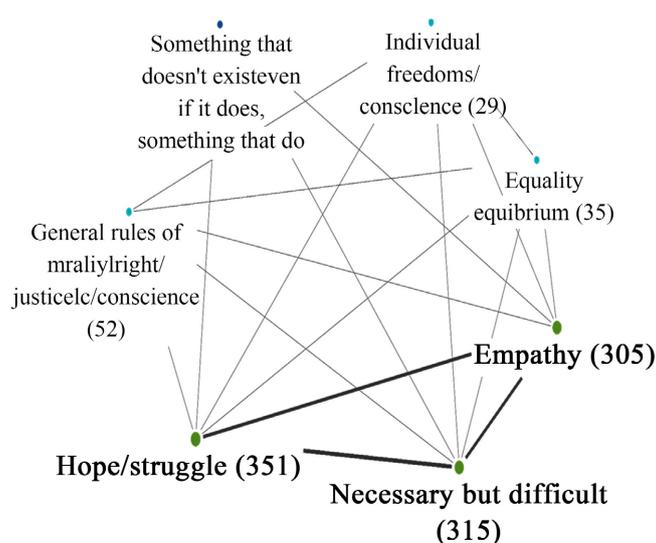


Figure 1. The relationship between the concepts in the definition of justice (codes map).

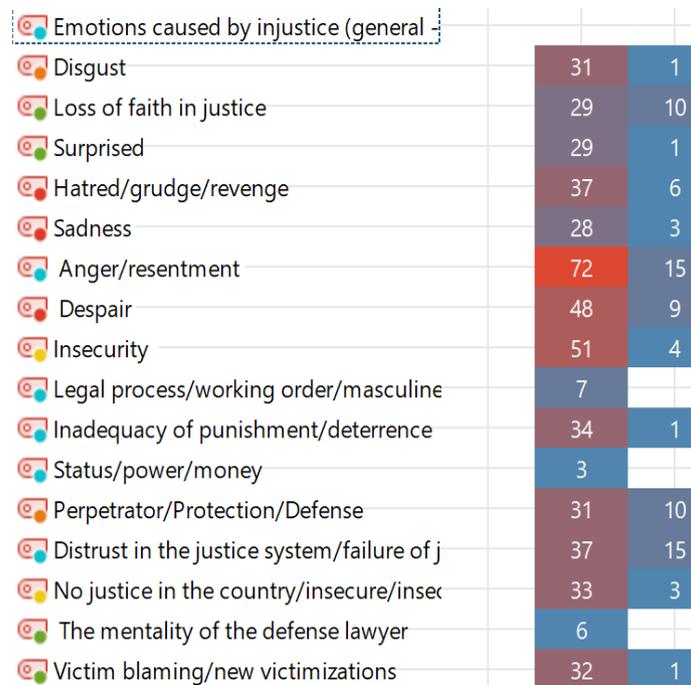


Figure 2. Co-occurrence of negative emotions and causes of criminal injustice (Codes Relationship Browser).

Unfairness is associated with active and negative emotions (e.g., rage), whereas fairness is associated with pallid and positive emotions (e.g., contentment). Injustice judgments could be functional in the sense that they allow one to detect and handle threats and that justice judgments could in turn serve the valuable function of confirming that rewards will be received and that an approach strategy should be followed (Cropanzano, Stein, Nadisic, 2011: p. 121). Considering that fear is more likely to evoke uncertainty than disgust, De Cremer and Hiel predicted and found that fear strengthened the positive effect that procedural justice had on self-esteem (cite in (Cropanzano, Stein, Nadisic, 2011: p. 122)).

Although these claims are related to the feelings of justice and injustice in **Figure 1** and **Figure 2**, they need to be supported by other empirical studies. It is not possible to make a clear assessment in this regard.

Figure 3 points to the inter-relationship of the positive/negative emotions left on the third party (social memory) because of general injustice and criminal injustice (towards lethal violence against women) in the country. According to the figure, a high level of correlation was found between anger/resentment (codes 504), insecurity (codes 358), hope/digital activism/social sensitivity/struggle (codes 351), despair (codes 349), sadness (codes 339), loss of faith in justice (codes 331), surprised (codes 326), hatred/grudge/revenge (codes 321), disgust (codes 310).

Figure 4 points to the intersectionality between the third party's (collective memory) generally defined sense of justice and the causes of criminal injustice (for lethal violence against women) in the country. According to the figure, there is a high level of correlation between the mentality of the defense lawyer and

prosecutors' misconduct and perpetrator/protection/defense and victim blaming/new victimizations; low level intersectionality was observed between the mentality of the defense lawyer and prosecutors' misconduct, no justice in the country and something that does not exist/something that exists even if it does exist, perpetrator/protection/defense and prosecutors' misconduct, status/power/money and distrust in the justice system, as well as transformation of social values/immorality/lack of conscience and no justice in the country.

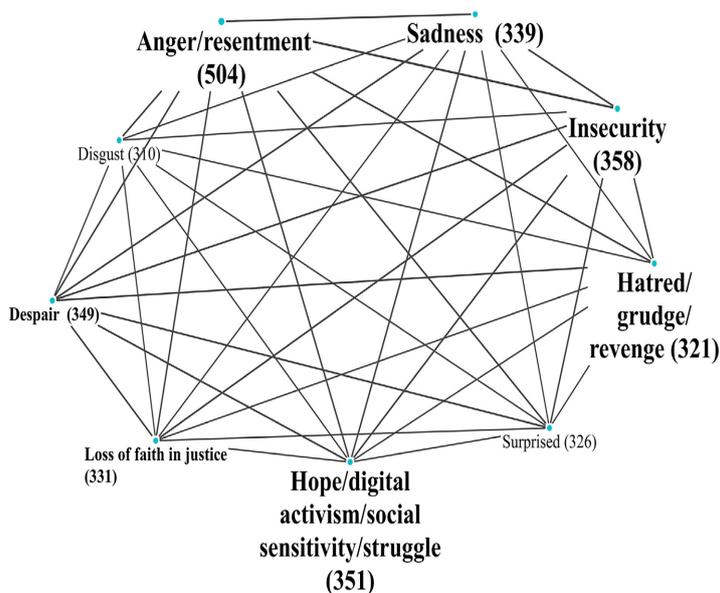


Figure 3. Intersectionality of positive/negative emotions (codes map).

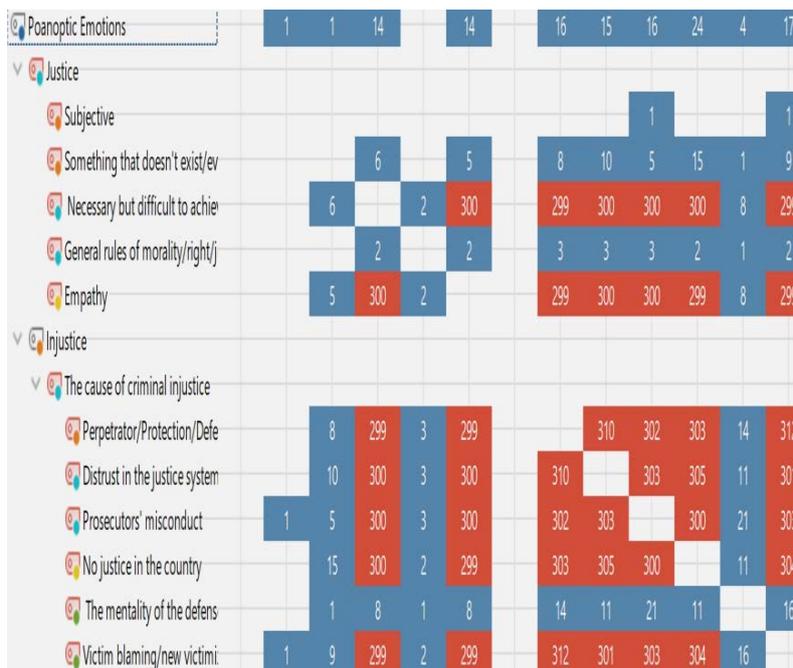


Figure 4. Intersectionality between justice and causes of criminal injustice (codes relationship browser).

Figure 5 reflects the intersectionality between justice principles, the causes of criminal injustice and the negative emotions that follow. According to the figure, there is a high level of correlation and co-occurrence between the codes of inadequacy of punishment/deterrence, distributive justice, interactional justice, procedural justice, anger/anger, confusion, protection/defense of the perpetrator, distrust in the justice system/inadequacy of punishment, lack of justice in the country/distrust in the country/lack of justice for women in the country. Moreover, according to the third party, the legal processes/working order, which stem from the ontology of law, are not egalitarian but gendered (masculine law).

As one inter-survey participant put it, “the judge is so fair that he is so loving to a piece of cloth (a tie) that he wears and the result is an unfair decision or the judge is so religious that he looks at the law from an intellectual shari’a point of view”. Another participant stated that “both the prosecutor and the defendant’s lawyer are trying to ensure that the man who committed the murder gets a small detention”. In addition to this, “unjust provocation” and “good behavior in court” discounts stand out as the most common grounds for sentence reductions in femicide cases. In addition to this, the allegation that the defendant is mentally unstable and the long waiting period for a medical report also lead to the lack of results demanded by the prosecutor in the cases. Defenses of the defendants: “She insulted my manhood”, “she swore at me”, “she said my child is not mine”, “she was seeing someone else”. First, they slander women whose right to life has been violated and then they explain how they were provoked. If they don’t get a discount, this time they say “I am very remorseful”, “it happened in a moment of anger”.

Showing up wearing a tie is indispensable for murderers. If they can’t get a discount with these, the last method they use is to try to prove that they are mentally unstable by saying “I used drugs for a while” etc. Based on all these examples, murderers abuse the discounts defined in the law. However, it is seen that they can easily design to kill women and inflict violence because they know the discounts they will receive (Ordu, 2019).



Figure 5. Relationality between principles of justice, causes of criminal injustice and negative emotions (codes relationship browser).

The masculine mentality of the defendants, lawyers and prosecutors overlaps significantly with both the online newspaper article and the tweets. For example, “I feel. Justice in the country is in favor of harassment domination. Justice in the country is too humanist for harassment.” Another participant stated that “the statements of the defendant and the relatives of the defendant do not mean anything to me, but the statements of the judge and the defendant’s lawyer are important to me. I consider the statements of the judge or the defendant’s lawyer blaming the victim and emphasizing the good conditions of the defendant as efforts to exonerate the criminal and the crime”.

At the same time, as [Homans \(1974\)](#) points out, the basic notion that the experience of injustice mobilizes feelings of distress emerges implicitly in studies of violations of procedural and interactional justice principles that convey something about individuals and their relationships with others. The statement that the appropriateness of outcomes or the combination of distributive justice evaluations with procedural evaluations can mobilize negative emotions together ([Hegtvedt & Parris, 2014: p. 106](#)) supports the data in the figure. The data of the study shows us that criminal injustice and incompetence is one of the most important causes of fatal female violence and that only justice should be served.

Figure 6 indicates the correlation between justice principles and the four most negative emotions. According to the figure, anger/resentment (codes 518) is correlated with procedural justice (codes 376), interactional justice (codes 354), distributive justice (codes 338) and retributive justice (codes 315). Among the four negative emotions, a very high level of correlation was found between anger/resentment and despair (codes 365) and insecurity (codes 360). The basic notion that the experience of injustice mobilizes feelings of distress is implicit in studies of violations of procedural and interactional justice principles, particularly those that convey something about individuals and their relationships with others ([Hegtvedt & Parris, 2014, p: 106](#)). Although the nature of emotional reactions depends on the violation of a particular type of justice, [Hillebrandt & Barclay \(2013\)](#) argue that the overall experience of injustice (a combination of types of injustice) may ultimately shape emotional reactions. Different types of injustice evoke specific emotions (e.g., distributive injustice evokes anger, whereas interactional injustice evokes resentment). The simultaneous occurrence of distributive and procedural injustice produces the highest level of dissatisfaction. Goldman (2003; cited in ([Hegtvedt & Parris, 2014: p. 107](#))) suggests that individuals are more likely to experience anger in the absence of distributive, procedural and interactional justice, but the presence of any type of justice reduces the degree of anger. Twitter users and survey participants emphasized that the three basic principles of justice (procedural, interactional, and distributive justice) were violated among the causes of fatal female violence and therefore criminal justice should be strictly applied. In experimental studies, anger or resentment, insecurity and helplessness are felt the most after feelings of injustice. It can be said that the data in the figure shows a similarity with both theoretical and empirical inferences.

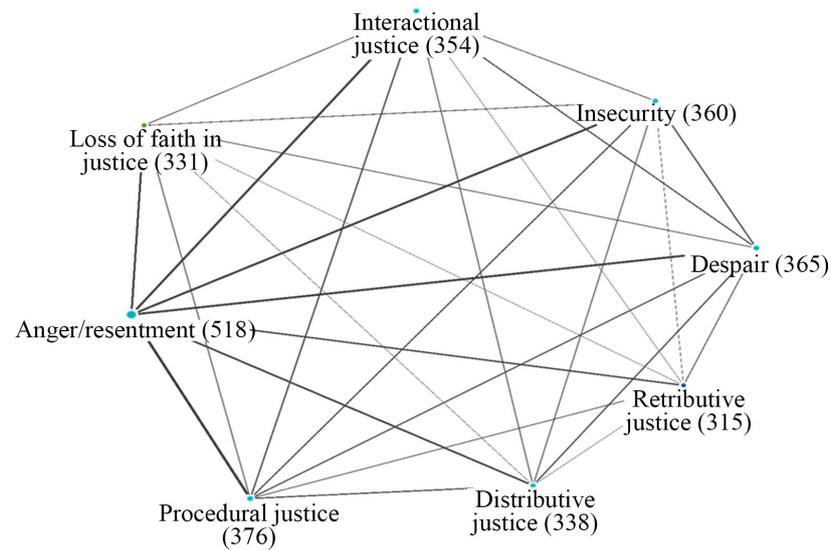


Figure 6. Relationality of justice principles and negative emotions (codes map).

Along with distributive and procedural justice, violations of interactional justice also enhance angry responses that in turn affect counterproductive work behaviors (Roy et al., 2012). The study data suggests that these three principles of justice were violated and revealed feelings of distrust in the legal mechanism.

Figure 7 reflects the proposed solution codes for criminal injustice as perceived by the third party (traces in social memory). The figure shows that criminal justice should be fulfilled first for everyone (codes 627) and then for all women and children subjected to violence and murdered (codes 501); the perpetrator should be punished by execution/killing (codes 320); there should be real justice, not male justice (codes 226); a justice system that protects criminals (codes 167); and the murder should not be covered up (codes 229). These codes are very important in terms of showing the depth of the trauma created in the social sphere by the negative anger/violence left by violence against women and femicides. However, it shows that the third party demands that “criminals/murderers should receive the punishment they deserve, girls should have the right to life, only justice and fairness should be realised, justice should be done for women/children and animals who are killed/violently abused, and gender equality.” The codes of thinking that justice will not be realised/learned helplessness express the feeling of helplessness. The codes of improving the justice system, thinking that justice will be done for everyone and that it will be realised/hope/hope/despair/satisfaction can be associated with a sense of social cohesion and hope that despite the brutalisation of both forms of violence against women and the fact that women are mostly killed by men they know and are close to, there is still an impartial, common sense, genderless and holistic perspective on the situation. At the same time, it is also very meaningful that it points to an optimistic perspective despite all injustices, insanity and the blending and circulation of neoliberal political economy with violent local values.

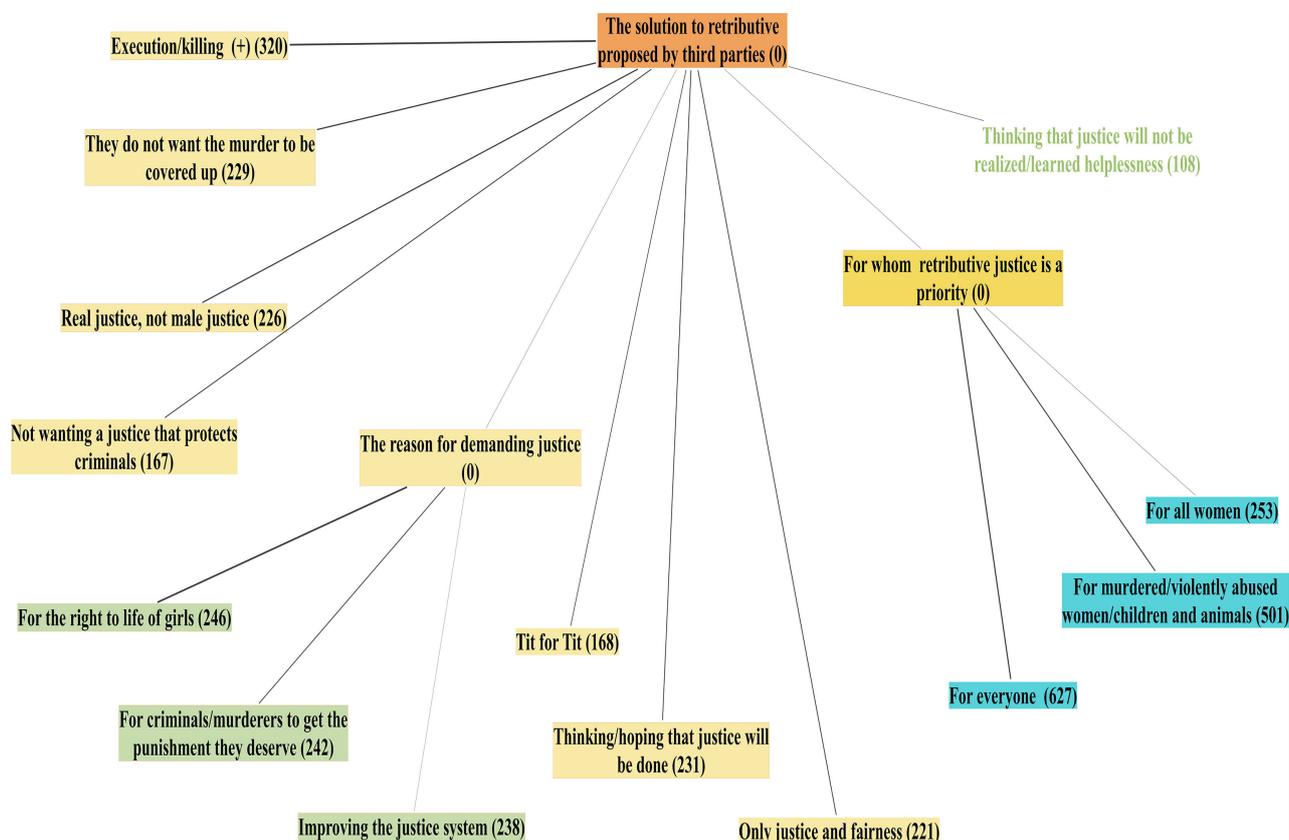


Figure 7. Third party solutions (The Codes-Theory Model).

4. Conclusion and Assessment

Panoptic power, which Jeremy Bentham's twenty-four letters of 1787 brought divine power down to earth, has, with Michel Foucault's revision of these writings in the 1970s, very successfully fulfilled its function as a model of social control on a global level. At the same time, Panoptic power is constantly renewing itself over time and space, and continues to present itself in other forms, in every aspect of society, leaving lasting effects. Panoptic power, as it was first conceived, included certain social segments (the sick, the infirm, the elderly, the lazy, the criminals, etc.) in the working population based on a utilitarian paradigm.

Nowadays, to re-socialize the perpetrators of femicides, it utilizes different principles of justice, leaving victims and potential victims with new victimizations. In other words to turn the female gender into an object of control (through persistent negative emotions), the destructive hegemonic masculinity is put into circulation in the form of Panoptic power, freeing its field of activity. It seems to have partially achieved this by revitalizing the subversive patriarchal mentality embedded in society through the actors of the legal system (the prosecutor, the defense lawyer, and the forensic doctor) who play an active role in violating the principles of procedural, interactional and distributive justice. However, as in all other socio-cultural and political economy structures (women's organizations, traditional and new social media, sports teams and their fans, art, etc.), the exis-

tence of multiple, rather than singular, perspectives in the legal mechanism seems to have at least partially prevented the general injustice and injustice against the female gender for the time being. However, to draw attention to the fact that the subversive patriarchal Panoptic power does not present itself as a singular universal point of view, the main conclusions of this study are as follows:

Firstly, the findings suggest that in Türkiye, women victims cannot be protected due to violations of the principles of procedural justice (code 376), interactional justice (code 354) and distributive justice (code 338) and therefore punitive justice (code 315) should be strictly applied. For example, Bentham's "Panoptic system minimizes the effective exercise of control while maximizing the awareness of that control. Rulers can commit public crimes and harm all members of the State. Bentham therefore proposes the principle of minimizing trust in them and maximizing distrust. He aims to direct their behavior towards the general good by both curative and preventive means (Tusseu, 2012: p. 124). According to the third party evaluating fatal female violence, Bentham's idea seems to have been realized. In other words, the invisibility of trust, justice and especially justice for women in the country, the fact that prosecutors and defense lawyers make the safety of the perpetrator's life a priority issue, increase anger and distrust (the success of Panoptic patriarchal power to create lasting negative emotions), and reinforce the success of a Panoptic act (femicide as a form of control).

Second, the negative emotions (anger/violence, despair, insecurity, uncertainty, sadness, loss of faith in justice, hatred/vengeance, hurt/disappointment, fear) caused by social and legal injustice have given rise to digital activism, creating a new sense of hope, happiness, satisfaction, and relief that this barbaric violence will end.

Thirdly, the third party was found to have two different perspectives: the hope that criminal justice will be achieved in fatal violence against women (231 codes) and the feeling of helplessness that it will not (108 codes). This perception can be evaluated as follows: The neoliberal conservative governance approach that dominated the country after the 1980s constructed competing and conflicting dual perspectives in social institutions and socio-cultural and legal structures. Categories of constant surveillance and exclusion, which Giorgio Agamben calls *homosacer*, are imposed on individuals and social groups with certain characteristics. The "cursed" individual or "naked life" has been segregated from the rest of humanity through various forms of isolation, such as emergency legislation, detention, and prisons (Shaw, 2020), and some women have been removed from the category of being human and made a gender that the law cannot protect. But courts and legislatures can be the arbiters of our best hopes for justice, predictability, equality, and freedom from prejudice and corruption to end the brutal lethal violence against women that severs any relationship with the law. "Legal instruments are only means. The ends they serve must be our ends. Law can be a

tool for harmony, compassion, and human development, and can turn suffering into opportunity (Minow, 2015: p. 1619).” This view is very similar to optimistic perspectives that, despite a general sense of mistrust towards the country, the justice system and justice actors, there is “a sense of faith that justice will be done and that the problem should be resolved within the legal framework” as the proposed solution.

Moreover, the forms of retributive justice (execution/killing, no cover-up of murder, true universal justice not male justice, justice and equity only, tit for tat, castration) that the third party wants to see realized support Darley & Pittman (2003)’s argument that “retributive justice evokes an overwhelming urge to punish the offender and may be accompanied by a sense of moral outrage, which is a combination of anger, disgust and humiliation.” Punitive responses focus largely on the perpetrator, in sharp contrast to restorative justice responses that focus on repairing the harm to the victim and society. Mayer (2012) draws attention to moral feelings about the injustice of others and the subsequent negative reactions (e.g., punishment, retaliation) and positive, prosocial reactions. He also often emphasizes the third party’s “moral outrage” (combined anger, humiliation, disgust) and subsequent behavior. Lotz et al. (2011) also examined how third-party sensitivity to others’ injustice triggers feelings of moral outrage, which in turn affects behavioral responses. Individuals who show this sensitivity have stronger feelings of moral outrage and are more likely to use their own resources to punish the offender. The data of the study indicate very similar results to these studies.

Furthermore, the forms of retributive justice that the third party would like to see realized are: execution/killing (code 320), not covering up the murder (code 229), real universal justice not male justice (code 226), only justice and equity (code 221), tit for tat (code 168), castration (code 2). These data support Darley & Pittman (2003)’s argument that “retributive justice evokes a dominant impulse to punish the offender and may be accompanied by a sense of moral outrage, which is a combination of anger, disgust and humiliation”. Punitive responses are largely focused on the perpetrator and contrast sharply with restorative justice responses that focus on repairing the harm done to the victim and society. Mayer (2012) draws attention to moral feelings of the injustice of others followed by negative reactions (e.g., punishment, retaliation) and positive, prosocial reactions. It also frequently highlights the third party’s “moral outrage” (combined anger, humiliation, disgust) and subsequent behaviors. Lotz et al. (2011) also examined how third-party sensitivity to others’ injustice triggers feelings of moral outrage, which in turn affects behavioral responses. Individuals who show this sensitivity have stronger feelings of moral outrage. Their feelings of moral outrage are stronger, and they are more likely to use their own resources to punish the wrongdoer.

The data of the study indicate very similar results to these studies. Fourthly, in the Panoptic patriarchal legal system in Türkiye, due to the violation of basic

principles of justice (procedural, interactional, and distributive justice), the perpetrator has become the Panoptic patriarchal power and victims (and potential victims) are vulnerable to the injustice of being subjected to new victimizations. As a natural consequence, the emotional reactions of third parties are very negative (anger, distrust, sadness, confusion, disgust, loss of faith in justice, etc.) and they certainly want the harshest application of the principle of retributive justice. However, they are very hopeful that criminal justice will be realized and violence against women and femicides will be prevented.

Based on these results, the only solution that can be suggested is that in order to prevent new victimizations and restore social cohesion, trust in the law must be restored, the content of the education system must be corrected, and in addition to this, the family, mothers and women must be made aware of the destructive patriarchal mentality and this must be legislated as a social policy to be followed. As a final word, it is imperative that the relative autonomy of the law is applied in a way that protects the victim and not the perpetrator, without the need to seek individual justice.

Conflicts of Interest

The author declares no conflicts of interest regarding the publication of this paper.

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