



*Affirming the vision and practice of active nonviolence
at the heart of the Catholic Church.*

A project of Pax Christi International

Restorative justice

Restorative justice is a relational and communal view of justice that prioritizes the rectification of relations among perpetrators, victims, and their communities over punishment, retribution, or the enactment of legal sanctions by the state. It is a more comprehensive notion of justice than distributive, commutative or legal justice, though it includes aspects of these. The practices originated in many indigenous communities around the world. The term tends to be used in the context of criminal justice, but is now also applied to families, schools, workplaces, our relationship to creation, as well as the establishment of peaceful and just societies before, during, and following widespread societal violence, mass atrocities, or war. An example is the South African Truth and Reconciliation Commission, which attempted to heal the divisions, human rights violations, and social destabilization caused by apartheid and its aftermath. Restorative justice approaches are valuable at all stages of conflict.

According to the Centre for Justice and Reconciliation,

Restorative justice is a theory of justice that emphasizes repairing the harm caused by behaviour. It is best accomplished through cooperative processes that include all stakeholders. This can lead to transformation of people, relationships and communities.

Restorative justice emphasizes the harms, needs, obligations, and inclusion of all stakeholders in the discernment of what justice requires.¹ Restorative justice is usually based on the personal encounter of individuals on different sides of a situation of injustice. It aims to reintegrate both offenders and survivors into their communities. Restorative justice better enables offenders to take responsibility for their actions and experience transformation. It includes reparations to survivors, including the restoration of their sense of dignity and agency. Offenders may undertake actions such as truth-telling, apologies, restitutions to victims, and community service.

Key practices include: survivor-offender dialogues, family group conferencing, peacemaking circles, truth and reconciliation commissions, etc.²

Impact

Restorative justice avoids the ethos of impunity that results when perpetrators are forgiven or receive amnesty without requiring actions to heal the harm caused. Restorative justice is an important part of the transition

¹ Howard Zehr, *The Little Book of Restorative Justice*, (2002)

² Kay Pranis, *The Little Book of Circle Processes*, (2005)

to more just social structures and institutions, as well as the rule of law and protection of human rights after widespread violence in society. Research has shown that restorative justice better meets the human needs of all parties, agreements are frequently reached with greater compliance and at a fraction of the cost, recidivism is much lower, victims are more satisfied the justice is met, school suspensions and violence drop, as well as deeper trust and attention to human dignity is cultivated.³

Restorative justice can be distinguished from retributive justice, which focuses on who to blame and how to punish. Retribution calls for an equal recompense in order to right the balance of the universe and uphold divine law. Some Christians see God primarily as a righteous judge, even as angry, punitive, and vengeful. This is sometimes backed up with a theology of “an eye for an eye, a tooth for a tooth,” a policy rejected by Jesus (Matthew 5:38).

Restorative justice finds a biblical basis in the call of Abram in Genesis 12:1-3. After the fall, the murder of Abel, the tower of Babel, and the flood, God promises Abraham, “I will make you into a great nation, and I will bless you; ...all peoples on earth will be blessed through you.” King David, after having sexually coerced Bathsheba and causing the death of her husband Uriah, had to recognize his own sin and repent. Prophets such as Amos, call God’s people to repent of social injustice and to “hate evil and love good and establish justice” (5:14-15).

Jesus likewise “calls out” those who take advantage of or oppress the vulnerable. At the very beginning of his ministry he announces a new day of compassion and healing for the poor, the captives, the blind, and the oppressed (Luke 4:18-19). He denounces hypocritical leaders who do not place “justice and mercy and faith” at the heart of the law (Matthew 23:23). Yet he tells us to forgive wrongdoers seventy times seven (Matthew 18:22). This does not mean that crimes can be washed away easily without genuine efforts at restoration. Jesus insists that those who are poor, imprisoned, hungry and sick be cared for as a basic requirement of justice and of membership in God’s kingdom (Matthew 25:31-46). His end goal is the social and spiritual inclusion of all.

The moral, social, educational, and liturgical practices of the Church can support the cultivation of restorative justice. Restorative justice can be furthered by ecclesial practices such as the Eucharist, Christian education, prison ministries, community outreach or hospitality to alienated groups, interreligious dialogue, and ecumenical or interreligious social justice activities.

Catholic social teaching provides several concepts to explicate and support restorative justice. Among them are the dignity of the person, the common good, mutual rights and duties, subsidiarity, solidarity, participation, and integral human development. Each human has innate dignity, even those whose lives have been deeply marred by injustice, and those responsible for causing it. The common good requires that all share in the benefits of society, participate in building up society, and fulfill reciprocal obligations. Solidarity speaks to the attitudes of compassion and respect necessary to sustain a good society. Integral development is a term used by Paul VI and later popes to indicate that individuals reach their full potential in a holistic atmosphere of peace, human dignity, and respect for economic and civil rights.⁴

³ Smith Institute, “Restorative Justice: The Evidence,” 2007. Longmont Community Justice Partnership, <http://www.lcjp.org/what-we-do>; Restorative Justice for Oakland Youth, <http://rjoyoakland.org/restorative-justice/>; Christian Sterbenz, “Why Norway’s prison system is so successful,” in *Business Insider*, Dec. 11, 2014.

⁴ Caritas New Zealand and New Zealand Catholic Bishops Conference, “A Justice that Reconciles,” 2009.