

CATHOLIC SOCIAL TEACHING & RESTORATIVE JUSTICE



Rooted in both scripture and the rich tradition of our faith, Catholic Social Teaching is a guide for how to live as a people of justice and mercy. Catholic Social Teaching brings the teachings of Jesus and his call to discipleship to the larger societal conversation of social justice. Catholic Social Teaching has 7 major themes: Dignity of the Human Person; Call to Family, Community, and Participation; Rights and Responsibilities; Preferential Option for and with People who are Poor; Dignity of Work and the Rights of Workers; Solidarity; Care for God's Creation. (1)

All of these principles are evident in restorative justice, "an approach to achieving justice that involves, to the extent possible, those who have a stake in a specific offense or harm to collectively identify and address harms, needs, and obligations in order to heal and put things as right as possible."(2) In addition to repairing the harm done by wrongful behavior, restorative justice also fosters skills and attitudes that make injustice less likely to occur and easier to repair when it does.

The Traditional Approach Most criminal justice systems take a retributive approach to justice, upholding the rule of law by assigning guilt and respective punishment in order to change or prevent wrongful behavior. In that approach, key tasks are to determine which law was broken, who broke it, and what punishment is deserved.



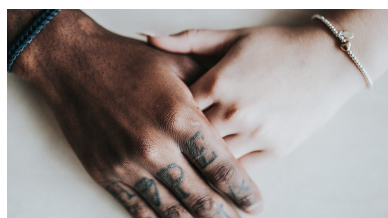
Restorative justice focuses instead on how to repair the harm that wrongful behavior does—to the other, to the self, and to the fabric of community. In this approach, correction and prevention are best accomplished through relationship-building, meaningful accountability and amends. The focus here is on the common good, seeking a resolution that will be just and productive for all parties involved and for the community as a whole.

A Restorative Approach Six core questions (3) characterize restorative justice in response to any injustice, and Catholic social tradition principles are evident in each of them:

1. Who has been harmed?

The fundamental starting point of restorative justice is a preferential option for the vulnerable. In systems that focus on dealing with the accused, those harmed often are enlisted to help with building the case or educating those responsible for causing the harm, while otherwise being left to find their own way to recovery. Restorative justice flips those priorities, calling on offenders to contribute to recovery by making amends for the damage they have caused.

2. What are their needs?



Restorative justice recognizes that harmful behaviors are wrong because they violate people and relationships, and that the dignity of the person needs to be at the center of a justice response. Restorative justice honors the dignity of those harmed by giving them meaningful voice and by inviting them to determine what they need in order to recover—including to recover the dignity of feeling safe in the world as a person worthy of respectful treatment. Restorative justice also honors the dignity of those responsible by giving them meaningful

voice, and by believing in, and fostering as needed, their capacity to make amends and behave more responsibly. Restorative justice sees both parties as whole and capable persons, for whom the harm in question is something to be transformed, not permanently defining.

3. Whose obligations are these?

Restorative justice recognizes that rights and responsibilities are interwoven, that living justly in community requires being accountable for how our choices affect other people. Thus, someone who has caused harm to another has a primary obligation to help repair it and may be the only one who can provide what is needed (such as an explanation of why they made the choice they did). Yet restorative justice recognizes that some needs are best met by people other than the one responsible (such as accompaniment or counseling to help restore a sense of safety), and that the common good depends on community members' sharing responsibility for ensuring that justice needs are met.

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**CATHOLIC
MOBILIZING
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ENDING THE DEATH PENALTY.
PROMOTING RESTORATIVE JUSTICE.



4. Who has a stake in this situation?

Restorative justice, like Catholic social tradition, assumes that people have a right to participation in processes that affect them. As such, restorative justice seeks to include all the perspectives important for understanding an injustice and for deciding what justice calls for in that circumstance. Restorative justice offers meaningful voice to the people holding those perspectives, including those harmed, those responsible, and others who have been touched by the harm or would be affected by how it is redressed.

Restorative justice invites people to share their stories in their own terms and to hear others' stories with respect, together seeking a shared narrative of what happened, why, and how best to move forward.

5. What are the causes?

Restorative justice asks not only what happened but also why it did. If there were conditions—in a person, in the environment, or both—that allowed or encouraged the harmful behavior, the common good depends on minimizing if not correcting those conditions. If this harm is traceable to unmet needs rising out of previous harms, then restorative justice calls for meeting those needs too, even belatedly. Therefore, many restorative practices are dedicated to strengthening communities by fostering connection and mutual responsibility and by collaboratively affirming positive community norms and standards. Further, tending to causes can serve the dignity of the person harmed, especially when it clarifies that he or she was not to blame for what happened. It also can serve the dignity of the person responsible, especially when it clarifies that the harmful action was influenced by more than evil intention.

6. What is the appropriate process to involve stakeholders in an effort to put things right and address underlying causes?

Restorative justice expresses a deep commitment to subsidiarity, the principle that higher-level associations should not take on what lower level associations could do for themselves. In other words, those closest to a situation should have participation in, if not power over, decisions that will affect them. Higher level associations such as governmental institutions may have a legitimate interest in how injustices are handled in their communities; an institution may be one of the stakeholders sharing power in decisions to be made in response to injustice, or at least may have a responsibility to review lower level processes and ensure that new harm is not done. But this can be a supportive role, ensuring that stakeholders have appropriate and meaningful involvement in the effort to put things right.



Further Implications Overall, restorative justice responds to harm in a spirit of solidarity—that is, by “seeing others not as rivals or statistics, but brothers and sisters.”⁽⁴⁾ Restorative justice sees people not as victims or offenders needing pity or punishment, but rather as people whose lives have intersected through harmful behavior and who need that harm healed and integrated.

Restorative justice sees people not as powerless, in need of higher authorities to accomplish justice for them, but rather as people to be supported in the work of recovering their safety, reclaiming their dignity, and renewing their place as whole and responsible members of the community. Restorative justice sees people as capable of doing that work, and offers practices to help them express their needs, face the effects of their behavior, and take action to restore or strengthen justice—for themselves, for each other, and for the communities they are part of.

Restorative justice is not specific to Catholic contexts. It fits in any community where people recognize that unhealed harm can cause long term damage in people's lives, in their relatedness, and in the community's long-term health. Yet it is especially suited to Catholic communities, which seek to form missionary disciples who live their faith in action.

Written by Susan Sharpe, Ph.D., Advisor on Restorative Justice, Center for Social Concerns, University of Notre Dame, Notre Dame, Indiana, for the Restorative Justice Network of Catholic Campuses (RJNCC), adapted for Catholic Mobilizing Network.

(1) United States Conference of Catholic Bishops: <http://www.usccb.org/beliefs-and-teachings/what-we-believe/catholic-social-teaching/> For detailed discussion of CST principles in Vatican documents, see the Compendium of the Social Doctrine of the Church: http://www.vatican.va/roman_curia/pontifical_councils/justpeace/document..._060526_compendio-dott-soc_en.html (2) Howard Zehr (2015), *Little Book of Restorative Justice* (NY: Good Books), p. 48. (3) Howard Zehr (2015), *Little Book*, p. 49 (4) Pope Francis, Address during Visit to the Community at Varginha, July 25, 2013