



# Theological Reflections on the Issue of Restorative Justice

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## Abstract

This paper offers a theological and legal examination of restorative justice as an alternative and complementary framework to retributive criminal justice systems, with specific reference to South Africa's high levels of crime and reoffending. It argues that restorative justice, though lacking a single universally accepted definition, provides a transformative approach to crime by prioritising accountability, reconciliation, reparation, and community healing over punitive suffering. The paper situates restorative justice within broader criminal justice objectives and contrasts it with retributive justice, highlighting the limitations of punishment-centred models in addressing the root causes of criminal behaviour. Central to this analysis is an exploration of religious moral frameworks, with a primary focus on Christian theology. Drawing extensively from Old and New Testament teachings, the paper demonstrates that principles such as forgiveness, reconciliation, mercy, repentance, and restoration are foundational to Christian conceptions of justice. Biblical narratives and commandments are shown to align closely with contemporary restorative justice theory and practice. The paper contends that when restorative justice is enriched by Christian ethical paradigms, it gains a deeper moral legitimacy capable of fostering social cohesion, reducing recidivism, and restoring dignity to both victims and offenders. Ultimately, the paper argues that restorative justice, informed by theological reflection, offers a feasible and morally convincing way for criminal justice reform in deeply fractured societies.

**Keywords:** Restorative justice; Retributive justice; Criminal justice reform; Theology and law; Christian ethics; South African criminal justice system; Moral responsibility; Community restoration.

## Introduction

The efficacy of any criminal justice system is reliant on its inherent ability and strengths at tackling the issue of criminality and the various causes of criminal activities. Efficient criminal justice systems are concerned with the fair application of legal provisions, deterrence of criminality among the populace and the rehabilitation of lawbreakers. Such concerns are aimed at the promotion of public safety and trust in national governance. In systems that uphold legality, safeguard individual livelihoods and encourage public trust one can often times see the promotion of cooperation of the public with law enforcement and administrative organs. Holding offenders' accountable aims to reduce the root sources of crime as well as recidivism. The more skilled a criminal justice system is at the elimination of crime the greater the improvement in other aspects of society for example, improved economic growth, political and social equilibrium (Solomon & Nwankwoala, 2014).

Crime is a common issue in most developing and even certain developed nations. Particularly in South Africa crime appears to be an improperly managed disease that if left unchecked has



the potential to shackle the nation to regression and increased instability. There have been various claims, that indicate that South Africa certainly possesses one of the highest incidences of crime in the world. For example, in 2023 according to a data released by the Global Organised Crime Index (2023). South Africa ranked seventh out of 193 participating nations third of 54 countries in Africa and first of 13 countries in Southern Africa. Similarly, in 2024 Numbeo (2024) released statistics indicating that South Africa ranked fifth out of 146 participating nations with a criminality percentage of 75,4 %. The data of the Numbeo index is updated continuously, and it is amassed from data within the past 5 years.

South African crime statistics themselves suggest that the highest priority for the nation is rectifying and improving the criminal justice system. Naturally, no justice system is ever or will ever be perfect. What is crucial, however, is reducing the margin of failure. The questions that arise in this regard are: How do we ensure that the criminal justice system is effectual in achieving social, political and economic stability? Is restorative justice best suited to meeting these needs and reducing crime re-occurrence? What role does religion, specifically Christianity, Islam and Hinduism, play in such development and what can we learn from their various teachings?

It is necessary in this regard to tackle the meaning of restorative justice. Various legal authors have suggested that restorative justice is a fluid concept that lacks any singular definition. In its simplest form restorative justice is a concept of transformation. It seeks to alter the way we as humans react towards the commissioning of wrongful acts (Armster & Amstutz, 2008). Crimes have an enormous impact on society and can, in varying degrees, impact offenders, victims and even innocent bystanders as well as the society in which it exists (Menkel-Meadow, 2007). Since, restorative justice lacks any singular definition it can be seen as a description of the various processes and procedures which aim to employ a number of approaches to conflict resolution (Dünkel et al., 2015a).

According to the United Nations Office on Drugs and Crime, restorative justice is continual process for the ending of crime and criminality by redressing harm that is inflicted on victims. In redressing crime, it often incorporates community engagement in conflict resolution and holding offenders accountable for their actions. In this way, restorative justice is a balancing act between the various needs of society, offenders and victims. Likewise, every nation has its own conceptualisations of restorative justice and not every nation is synchronised on the concept and its diverse aspects (United Nations Office on Drugs and Crime, 2006). Restorative justice typically involves direct communication often with a facilitator (restorative processes) (United Nations Office on Drugs and Crime, 2006), alongside victims and the broader community. In such a setting the offender will be required to acknowledge their faults towards the victim and the moral convictions of society as a whole. Exchanges in this regard often involve the offender providing compensation such as apologies, material exchanges or payments of some sort and a commitment to mutual understanding, clemency and future activities to improve their behaviour (Armster & Amstutz, 2008). Restorative justice in an ideal setting focuses on reparation, restoration, reconciliation and reintegration between the offender and the victim and their collective community (Menkel-Meadow, 2007). Restorative processes are characterized by the respectful behaviour and mutual respect for all parties involved through the promotion of participation and party empowerment.

The restorative justice objectives include:

- Restore community order and peace and repair damaged relationships.
- Denounce criminal behaviour as unacceptable and reaffirm community values.
- Support victims, give them a voice, enable their participation and address their needs.



- Encouraging all concerned parties to take responsibility, particularly by the offenders.
- Identify restorative, forward looking outcomes.
- Prevent recidivism by encouraging change in individual offenders and facilitating their reintegration into the community (United Nations Office on Drugs and Crime, 2006).

Despite varying definitions of restorative justice Daly (2016) provides in my opinion an adequate definition of the term:

Restorative justice is a contemporary justice mechanism to address crime, disputes, and bounded community conflict. The mechanism is a meeting (or several meetings) of affected individuals, facilitated by one or more impartial people. Meetings can take place at all phases of the criminal process, pre-arrest, diversion from court, pre-sentence, and post-sentence, as well as for offending or conflicts not reported to the police. Specific practices will vary, depending on context, but are guided by rules and procedures that align with what is appropriate in the context of the crime, dispute, or bounded conflict (Daly, 2016).

How does retributive justice differ with respect to restorative justice? Retributive justice is another justice mechanism that has formed the basis of many criminal justice systems over the millennia. It is particularly characterised by various fundamental precepts. Firstly, persons who commit criminal acts are morally indebted to society and as such deserve to suffer a proportional form of punishment (Walen, 2014). Secondly, it is founded on the idea that punishment is morally good if a legitimate punisher is the one to bestow proportional punishment. Thirdly, punishment cannot be inflicted more than is morally necessary. In this way criminal behaviour and punishment for such action is the central focus of the criminal justice system (Walen, 2014). Retributivism involves a unilateral dishing out of punishment on an offender. Such imposition is equated with what in the eyes of the law an offender justly deserves. Retribution means simply, that the offender will have to suffer some form of punishment that limits their rights and privileges and may cause suffering, lowering them into a powerless position (Wenzel et al., 2008).

Under this form of justice, punishment involves an offender being removed physically by imprisonment or not being regarded as a member of the community (for a period of time) through the limitation their usual rights. This highlights that their rejection of societal values poses an inherent threat to the communal agreement in society about what constitutes right and wrong (Turner, 1991). In this manner retributive justice plays a role in not just penalizing an offender but demonstrates to society at large that the core values are in kept intact and are defended against injustice (Wenzel et al., 2008). Punishment is a clear reflection of what the criminal justice system entails and what it regards as of utmost importance to society (Yuliandri et al., 2018).

Religion, as it does in various spheres of our lives, plays a foundational role in the formulation of our moral imaginations as humans. Religious precepts allow both individuals and broader communities to be bound to ethical frameworks. The meanings behind sacred texts, teachings and rituals often instil the ideals of justice that are concurrent with restorative justice practices. Religion especially Christianity, promotes dignity, equality, fairness and justice. Moreover, it fosters a culture of forgiveness by imploring believers to look beyond immediate cycles of resentment and retaliation to a long-term restoration of relationships. By learning from Christian teachings, we can expand the moral horizon of restorative justice. This section of the article is supportive of the implementation of restorative justice, especially when enriched by Christian paradigms and teachings.



The principle of reconciliation desires for people to make reparations to the harm they have caused in order to live their lives in positive relation to one another. As is aptly put by Hadley (2001):

Restorative Justice with its principles of repentance, forgiveness, and reconciliation, is instead a deeply spiritual process. It is never the easy way out; neither for the offender, the victim, nor the community. It requires all of us to come to grips with who we are, what we have done, and what we can become in the fullness of our humanity. It is about doing justice as if people really mattered; it addresses the need for a vision of the good life, and the Common Good.

### **Christianity and the concept of Restorative Justice**

Christian theology has long engaged with questions of justice, wrongdoing, and moral responsibility. While Christian traditions have at times been associated with punitive practices, theological scholarship increasingly emphasises themes of reconciliation, mercy, repentance, and restoration as central to Christian conceptions of justice. These themes align closely with the normative foundations of restorative justice. Christianity thus possesses a strong nexus with justice but it can be seen that many a time there are many contradictions between restorative teachings and retributive practices. Among many religious groupings intolerance has been the leading catalyst for some of the most brutal systems of punitive punishment (Myers & Enns, 2009; Sarre & Young, 2011). However, is this really a cause of the religion's teachings or is this a result of the misuse and abuse, by humans, of such teachings to further political, social and economic endeavours? For example, many historical instances have shown that in the name or blessing of religion people have committed atrocities ranging from genocide, murder, war, racism, sexism, pogroms, slavery and crusades, the persecution of heretics and general discrimination (Sarre & Young, 2011).

Within the Old Testament, peace as a concept is articulated by the Hebrew term *shalom*. The meaning of the word *shalom* extends beyond the mere absence of conflict. As a concept it indicates a mindfulness of wholeness, correct relationship with the Creator as well as fellow man in order to live a good and fulfilling life (Myers & Enns, 2009). It promotes individualistic and communalistic health through justice, reconciliation and restoration (Bianchi, 1994, p. 43; Townsend, 1994, p. 136).

When reading the Old Testament books, we see that reconciliation as a practice exists in many instances. In Leviticus 19:18 one finds the following, "Thou shalt not avenge, nor bear any grudge against the children of thy people, but thou shalt love thy neighbour as thyself: I am the Lord." This verse encapsulates a key principle of restorative justice. Through the rejection of violent resentment in place of reconciliatory mutual respect we are commanded to "love thy neighbour as thyself" (Segal, 2001). This verse underlines the necessity of moving away from perpetual cycles of harm and retribution, endorsing as an alternative healing and accountability that restore trust between individuals and within the broader community (Segal, 2001).

As is mentioned in terms of the Jubilee principle in Leviticus 25 where numerous verses indicate restorative practices this is seen in the following:

<sup>10</sup> ...ye shall return every man unto his possession, and ye shall return every man unto his family.

<sup>13</sup> In the year of this jubilee ye shall return every man unto his possession.



<sup>14</sup> And if thou sell ought unto thy neighbour, or buyest ought of thy neighbour's hand, ye shall not oppress one another...

<sup>17</sup> Ye shall not therefore oppress one another; but thou shalt fear thy God: for I am the Lord your God.

Leviticus 25 is a good example of restorative justice that prioritises social and economic relationships without the use of punitive measures. All debts that are owed to anyone or by anyone are to be set aside in the fiftieth year (the Year of Restoration), and all slaves are set free (Hurkmans, 2012). Since the Israelites are prohibited from acting oppressively in interpersonal transactions they are encouraged to re-establish social equality. This highlights a concern for justice, communal well-being and human dignity all of which are central tenets of restorative justice. The year of the Jubilee marks a period of recompense, granting of mercy and forgiveness (Sarre & Young, 2011). Throughout the Old Testament we are also provided evidence that God is inherently compassionate, gracious and full of patience. This is a call for the believer to imitate God and act in the same gracious manner that He does with our fellow men. For example:

Exodus 34:6 – And the Lord passed by before him, and proclaimed, The Lord, The Lord God, merciful and gracious, longsuffering, and abundant in goodness and truth...

Nehemiah 9:17 – And refused to obey, neither were mindful of thy wonders that thou didst among them; but hardened their necks, and in their rebellion appointed a captain to return to their bondage: but thou art a God ready to pardon, gracious and merciful, slow to anger, and of great kindness, and forsookest them not.

Hosea 11:9 – I will not execute the fierceness of mine anger, I will not return to destroy Ephraim: for I am God, and not man; the Holy One in the midst of thee: and I will not enter into the city

Joel 2:13 – And rend your heart, and not your garments, and turn unto the Lord your God: for he is gracious and merciful, slow to anger, and of great kindness, and repenteth him of the evil.

Micah 6:8 – He hath shewed thee, O man, what is good; and what doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God?

Psalms 103:8-10 – The Lord is merciful and gracious, slow to anger, and plenteous in mercy. He will not always chide: neither will he keep his anger for ever. He hath not dealt with us after our sins; nor rewarded us according to our iniquities.

The above passages re-emphasise that like God's response to wrongdoing through mercy, compassion, forgiveness and patience we too are encouraged to explicitly live out these ideals in our dealings with our neighbours (Kim, 2001; Segal, 2001).

Instead of retaliating with violence, spitefulness and vengefulness we must seek reconciliation to restore the connection between each other even when we are harmed or harm others (Argall, 2024). This vision given by the few (and many more examples can be seen in the Old Testament) verses presented above indicate that retribution does not effect healing, but rather creates greater hardship and social upheaval (Sarre & Young, 2011).

Justice always requires fairness and humility. Similarly, this aligns with the principles of restorative justice theories and invites individuals and communities to seek reparation by



means of peaceful dialogue in a manner that is reflected in God's example of merciful justice (Laldinsuah, 2015).

Likewise, the New Testament also directs us to notions of restorative justice and advocates for forgiveness in relations between members of society. The book of Matthew has some key examples of this:

Matthew 6:9-15 –

After this manner therefore pray ye: Our Father which art in heaven, Hallowed be thy name. Thy kingdom come, Thy will be done in earth, as it is in heaven. Give us this day our daily bread. And forgive us our debts, as we forgive our debtors. And lead us not into temptation, but deliver us from evil: For thine is the kingdom, and the power, and the glory, for ever. Amen. For if ye forgive men their trespasses, your heavenly Father will also forgive you: But if ye forgive not men their trespasses, neither will your Father forgive your trespasses.

This is perhaps one of the most significant chapters in the Bible since Jesus, as God, directly commands us to plea for our forgiveness. In order to be divinely forgiven so to we must be ready to bestow earthly forgiveness upon those who have wronged us. In this passage Jesus shares the Lord's prayer, a crucial event in the Biblical narrative. The reciprocal nature of forgiveness is made evident (Marshall, 2012). Prayer and forgiveness are inextricably linked to God's salvific intentions for us. To bestow justice and fairness on earth in a manner that is reconciliatory directs us to a vision of not only personal moral piety but of the very theological foundations of practicing restorative justice in societal contexts (Lauren, 2019; Nel, 2013). To receive divine mercy requires us to bestow mercy daily. Jesus further reminds us that if we love those who love us, we surely cannot be truly merciful and compassionate (Nel, 2013). Rather we must love and care for those who may hate or envy us and forgive them for their actions (as is depicted in Luke 6:32-36) (Kok, 2016). Matthew 5:23–24 instructs us on the necessity for reconciliation. It reads:

Therefore, if thou bring thy gift to the altar, and there rememberest that thy brother hath ought against thee; Leave there thy gift before the altar, and go thy way; first be reconciled to thy brother, and then come and offer thy gift.

This passage has the underlying idea that nominally ritual acts do not grant us true reconciliation and that where unresolved conflicts are in existence between members of society there cannot be true and authentic worship. We are instructed to reconcile ourselves with our enemies first and foremost before approaching God to forgive us (Argall, 2024). Whether we approach in prayer and supplication or through external acts of devotion or legal formality or even ritual service this means nought without first reconnecting with those we have harmed and who in some cases have harmed us (Weibling, 2001). This links with the Lord's prayer, in that restoring relationships rests upon reconciliation and utmost forgiveness (Sarre & Young, 2011).

Similarly, Matthew 5:44, dictates the need for the love of our enemies. It states, "But I say unto you, love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you, and persecute you...". The teaching in this passage indicates that hostility solves none of our problems. The archaic "eye for an eye" rule of the Old Testament holds no truth any longer with Christ's teachings. The eye for an eye doctrine of the Old Testament is disposed of in Christ's sermon on the mount, Matthew 5:38-42 states:

Ye have heard that it hath been said, An eye for an eye, and a tooth for a tooth:



Ye have heard that it hath been said, 'An eye for an eye, and a tooth for a tooth.' "But I say unto you that ye resist not evil; but whosoever shall smite thee on thy right cheek, turn to him the other also. And if any man will sue thee at the law, and take away thy coat, let him have thy cloak also. And whosoever shall compel thee to go a mile, go with him twain. Give to him that asketh thee, and from him that would borrow of thee turn not thou away.

Seeking revenge is an ill practice that multiplies evil to extremities. A Christian is directed to overturn the tide of evil and wrongfulness with goodness and love. A Christian must be ready to tolerate insult and persecution. Sacrificing one's pride and ego is necessary to win over our proverbial "enemy" by making him our religious sibling recognising that despite his wrongful acts he too is a servant of the Lord (Mastrantonis, 1985). In the Gospel of Matthew Christian love is unique with roots of absolute dedication to God's eternal will for us. A believer is the receiver of the power and grace of Christ not to forget his enemy in bitterness but to forgive him and someday win him over to Christ (Mastrantonis, 1985). What God wishes of us is that we must not only love those who are good to us but we must love and care for those people who may be opposed to us or are even without qualities of attraction (in this case moral qualities). Matthew 5:43-48 shares some insightful excerpts on Christ's will for us in this regard:

Ye have heard that it hath been said, 'Thou shalt love thy neighbour, and hate thine enemy.' "But I say unto you, 'Love your enemies, bless them that curse you, do good to them that hate you, and them which despitefully use you, persecute you, that ye may be the children of your Father which is in heaven; for he maketh his sun to rise on the evil and on the good, and sendeth rain on the just and on the unjust.'

In order to transform society in a just manner we need to love and care for our enemies because ultimately, it is through this love that we will be able to inculcate a philosophy of forgiveness and respect (Nel, 2020). This aligns with restorative justice principles in seeking the cessation of cycles of recurrent violence and vengefulness. Love for one's enemies is not a pacifist acceptance of error or wrongdoing but a collective and active commitment to the restoration of the relationship between the offender and the victim (Safstrom, 2022). As is put by Safstrom quoting Waldenström:

Vengeance or revenge is not what humans are called to, and neither is this any part of God's justice. God's righteousness is his love. "Righteousness is no antithesis to love, no limitation of love, no restraint or check on love."

Similarly, when one reads the parable of the Prodigal Son (Luke 15:11-32) one encounters the themes of mercy and restoration. This parable is a good example of where the Lukan Jesus teaches his audience the true meaning of reconciliation and forgiveness when there is repentance. It highlights that reconciliation can in many cases first be achieved in the family setting (Etukumana, 2024). In this parable the younger of two sons takes his portion of inheritance, dishonours his father and is a spendthrift. He leaves his father and goes to a foreign land where he consumes his inheritance wildly, blindly and wastefully. He eventually comes to the realisation of his errors and punishes his own actions internally first. He returns home humbled, ready to admit his faults and willing to face the retributive punishment the world has shown him to be the order of the day, for rightly his father could have disowned this rebellious son (Presbyterian Church U.S.A., 2002). However, his father acts a paradigm for restorative justice (Marshall, 2012). The father runs to embrace his son and restores him to his previous position as a child of his house. The father forgives his errors and bestows on his son a ring, robes, sandals (images of re-acceptance and belonging) and prepares a feast. In



this way the father is not blessing his son's misdeeds but rather he grants him a second chance fixed in mercy and love.

Such an apt reaction by the father is indicative of restorative principles and illustrates that justice in its truest sense is not based on past failings but on the possibility of restoring relationships and new beginnings (Presbyterian Church U.S.A., 2002). The parables in the book of Luke display that God's grace is not cheap, rather it is a grace that is transformative. To change one's conduct and forgive others is intrinsic to social transformation (Bosch, 1989, referencing Tannehill 1986:123). A person's own repentance has to do with how they choose to treat others who have wronged them (Bosch, 1989, referencing Klein 1987:80-83).

Restorative is found and is supported by other teachings found in the New Testament (there are by far too many to list in one paper). In the book of Romans (3:23), we are reminded clearly that, "For all have sinned, and come short of the glory of God". The idea that all humans are imperfect and have all made errors serves as a crucial reminder that it is indeed totally incorrect to divide the world into two categories namely the righteous and unrighteous; criminals and victims; those who require retribution and those who do not. Jesus reminds us that the gospel is for all people whether they be sinners or not (Presbyterian Church U.S.A., 2002). This is amplified in Galatians 3:28, "...for ye are all one in Christ Jesus." To inculcate practices that create a divide between good and bad creates greater hardship and turmoil. As such criminal justice needs to favour restoration, rehabilitation and reconciliation.

Christ is the reconciling love between all men; 2 Corinthians 5:18-19 explicitly declares:

And all things are of God, who hath reconciled us to himself by Jesus Christ, and hath given to us the ministry of reconciliation; To wit, that God was in Christ, reconciling the world unto himself, not imputing their trespasses unto them; and hath committed unto us the word of reconciliation.

Even on the Cross Christ forgave those who had mocked and scourged him. With his dying breath he called out to God, "Father, forgive them; for they know not what they do" (Luke 23:34). This is the example Christians are called to emulate daily.

Taken together, these theological principles suggest that Christian ethics provide a normative foundation for restorative justice practices. While such teachings do not deny the necessity of accountability or legal order, they offer an alternative moral vision in which justice is oriented toward healing, reconciliation, and the reintegration of those who have caused harm.

### **Considering issues from the late Advocate George Bizos SC perspective**

The jurisprudential legacy of the late Advocate George Bizos SC provides a significant secular-legal framework through which restorative justice may be understood within the South African context. Bizos' lifelong commitment to human dignity, constitutionalism, and reconciliation reflects a conception of justice that extends beyond punitive retribution while maintaining a firm insistence on accountability and the rule of law (Bizos, 2007). His legal and moral philosophy aligns closely with the core principles of restorative justice, predominantly in its emphasis on truth, responsibility, and the restoration of social relationships.

Bizos consistently rejected vengeance-based approaches to justice, arguing that punitive excess undermines both the legitimacy and effectiveness of legal systems, particularly in societies emerging from systemic injustice (Bizos, 1998). At the same time, he cautioned against forms of reconciliation that disregard responsibility or minimise the suffering of victims. For Bizos, justice could not be achieved through punishment alone, nor could it be realised



through forgiveness detached from truth. This position is evident in his sustained engagement with South Africa's Truth and Reconciliation Commission (TRC), which he supported as a necessary moral and legal intervention in a deeply divided society, while remaining openly critical of its shortcomings where truth-telling or accountability was incomplete (Bizos, 1998; Truth and Reconciliation Commission of South Africa, 1998).

Central to Bizos' understanding of justice was the constitutional value of human dignity, which he regarded as foundational to South Africa's post-apartheid legal order (Bizos, 2007). He maintained that criminal justice must recognise offenders as rights-bearing individuals without diminishing the gravity of their conduct or the harm suffered by victims. In this respect, Bizos articulated a balanced approach to justice that resonates with restorative justice theory: one that seeks to repair moral and social harm while affirming the equal worth of all persons involved. Bizos also emphasised the social and structural dimensions of criminality, frequently warning that purely punitive responses obscure the broader conditions that give rise to crime and, in doing so, fail both victims and offenders (Bizos, 2007). His critique of harsh sentencing regimes reflected a concern that exclusionary justice models entrench cycles of marginalisation and recidivism rather than promote social stability. Nevertheless, he rejected any conception of restorative justice that could be interpreted as moral relativism or as a substitute for legal responsibility. Accountability, in his view, was indispensable to both justice and reconciliation (Bizos, 1998).

The significance of Bizos' contribution lies in his articulation of a restorative vision of justice grounded in constitutionalism rather than theology. His emphasis on dignity, equality, and freedom provides a secular normative foundation that complements the theological principles explored in this paper. Together, these frameworks reinforce the argument that restorative justice need not be opposed to legal rigor or victims' rights, but can instead function as a principled approach to justice that integrates responsibility, healing, and social repair. In South Africa's restorative justice narrative the Truth and Reconciliation Commission was critically important and Bizos supported its restorative intent, and also defended its moral necessity. Of course he also critiqued its failures where truth or responsibility were incomplete. Bizos was a tireless advocate for the constitutional values of dignity, equality, and freedom (Bizos, 1998). These values align directly with restorative justice principles, and resonate with Christian ethics discussed in this paper. They additionally and provide a secular-legal justification for restorative justice alongside theology. Bizos ideals add great intellectual weight without partisanship to issues raised in this paper.

## Conclusion

Taken collectively, the teachings of both the Old and New Testaments—though addressed here in necessarily selective detail—reveal a consistent and compelling vision of justice grounded in restoration rather than retribution. Scripture repeatedly directs believers toward forgiveness, reconciliation, mercy, and accountability, emphasising the repair of broken relationships over the infliction of suffering. This theological vision affirms the inherent dignity of every person, including those who have caused harm, and recognises justice as a process aimed at healing individuals, communities, and social bonds. The analysis undertaken in this paper demonstrates that restorative justice closely mirrors the core ethical commitments of Christian theology. Biblical concepts such as *shalom*, the Jubilee, the command to love one's neighbour and one's enemies, and the reconciling ministry of Christ all reflect principles central to restorative justice: responsibility-taking, reparation, reintegration, and communal participation. These teachings challenge purely punitive justice models that prioritise exclusion, moral condemnation, and proportional suffering, often at the expense of genuine social repair and long-term public safety.



In contexts such as South Africa, where crime remains inescapable and the limitations of retributive justice are increasingly apparent, the integration of restorative justice offers a meaningful opportunity for criminal justice reform. While restorative justice is not a remedy and cannot replace formal legal accountability, it provides a necessary corrective by addressing the relational, moral, and communal dimensions of crime that punitive systems frequently neglect. When informed by Christian ethical insights, restorative justice gains a moral depth that reinforces accountability without dehumanisation and forgiveness without trivialising harm. Ultimately, this paper contends that justice, properly understood, must do more than punish wrongdoing; it must seek to restore what has been broken. A criminal justice system that incorporates restorative principles—grounded in theological reflection and ethical responsibility—holds greater promise for reducing recidivism, strengthening social cohesion, and fostering a more humane and sustainable vision of justice. In this sense, restorative justice is not merely a legal mechanism, but a moral commitment to healing, reconciliation, and the shared pursuit of the common good. The relevance of restorative justice to the South African context is further highlighted by the views of the late Advocate George Bizos, whose lifelong commitment to human dignity, constitutionalism, and reconciliation reflects a justice paradigm that prioritises responsibility and healing over vengeance. His legacy sustains that justice, to be legitimate and transformative, must seek not only to punish offences but to restore broken relationships within society.

While this paper provides a theological and conceptual analysis of restorative justice, several limitations must be acknowledged. First, the study is primarily theoretical and normative in nature, and it relies on doctrinal legal analysis, theological interpretation, and secondary literature. It does not include empirical data, such as qualitative interviews, case studies, or quantitative assessments of restorative justice programmes. As a result, the paper cannot empirically measure the effectiveness of restorative justice practices or directly evaluate their outcomes in reducing recidivism, improving victim satisfaction, or strengthening community cohesion. Second, although the paper initially raises questions concerning the role of multiple religious traditions, the substantive analysis focuses predominantly on Christian theology. While Christianity offers a rich and coherent moral framework for restorative justice, this focus necessarily limits the comparative scope of the study. The perspectives of Islam, Hinduism, and other religious or especially indigenous traditions are not explored in depth, which constrains the paper's ability to offer a fully diverse or interfaith account of restorative justice. Third, the discussion of restorative justice is largely conceptual rather than procedural. Finally, while South Africa is used as an illustrative context, the paper does not conduct a detailed analysis of South African statutory frameworks, judicial decisions, or existing restorative justice programmes. As such, the conclusions drawn remain general and may not fully account for jurisdiction-specific legal, cultural, or institutional factors that shape criminal justice reform in practice.

Building on the foundations laid in this paper, several avenues for future research emerge. First, future studies could incorporate empirical research methods to assess how restorative justice initiatives influenced by religious or theological values function in practice. This may include interviews with victims, offenders, facilitators, religious leaders, and justice officials, as well as longitudinal studies examining reoffending rates and community outcomes. Second, there is substantial scope for comparative religious analysis. Further research could examine how Islamic jurisprudence, Hindu philosophy, African indigenous justice systems (such as ubuntu), and other faith-based or cultural traditions conceptualise justice, reconciliation, and accountability, and how these frameworks interconnect with or deviate from restorative justice principles. Third, future scholarship could explore the integration of restorative justice within formal legal systems, particularly in relation to sentencing, diversion programmes, and post-conviction processes. Special attention could be paid to constitutional safeguards, victims' rights, proportionality, and due process to confirm that restorative practices complement rather than undermine the rule of law. Lastly, future studies could possibly also focus explicitly on



South Africa's criminal justice landscape, analysing prevailing restorative justice policies, and court-endorsed initiatives through theological and constitutional lenses. This would permit for context-specific recommendations that connect moral theory, religious ethics, and practical legal reform.

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