

Eudaimonia as a Framework for Restorative Justice

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Abstract

This article shows how the current crisis of the penal system has given rise to restorative justice, a form of forward-looking, community-centred justice. Drawing on Aristotle's concepts of *eudaimonia* and friendship, the article shows how restorative justice embodies Aristotle's communal conception of flourishing while conceiving justice as a character virtue – not as Aristotle himself conceived it. It is precisely the definition of justice as a character virtue that connects it to *eudaimonia*, making it coherent to work within an Aristotelian framework even while rejecting Aristotle's specific account of justice. The article critiques Aristotle's theory of justice and argues for a contemporary reinterpretation aligning justice as a character virtue with the Aristotelian conception of *eudaimonia*, which cannot be achieved without virtue (Annas, 2026) and excludes coercive justice. Through a philosophical analysis, the article highlights the moral significance of restorative justice, often neglected in moral philosophy, as a form of eudaimonist justice.

Keywords

eudaimonia – restorative justice – Aristotle – virtue – community

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A fundamental concern for others in our individual and community lives would go a long way in making the world the better place we so passionately dreamt of. (Nelson Mandela)

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1 The Crisis of Traditional Penal Systems

There is growing dissatisfaction with traditional punitive paradigms and the so-called crisis of penal systems (Corwell, 2023; Lodigiani & Mannozi, 2025: 87), particularly those grounded in retributive models of criminal justice, according to which an offender must deserve punishment in order to be punished. In retributivism, the notion of ‘desert’ represents the fundamental link between crime and punishment. It is not sufficient that a crime has been committed: for punishment to be just, it must be deserved by the offender (positive retributivism). The concept of desert determines who should be punished and to what extent, distinguishing a genuine criminal justice system from the mere management or suppression of crime (Canton, 2021: 5).¹ Negative retributivism, instead, takes a distinct approach to punishment. While an offender’s desert is necessary, it alone does not determine the punishment. After establishing that the person deserves to be punished, other considerations – such as deterrence and rehabilitation – guide the severity of the penalty. Unlike traditional retributivism, which ignores consequences, negative retributivists never punish the innocent and may limit punishment for the guilty based on broader outcomes. This approach balances a backward-looking assessment of desert with forward-looking attention to the effects of punishment, aiming to achieve just and practical results (Brooks, 2023).

On a practical level, contemporary punishments scarcely foster moral growth, social cooperation or the development of virtuous relationships among inmates. Such penalties neglect the ethical and communal dimension that, for Aristotle, constitutes the core of justice and human flourishing (Aristotle, 1984). Dissatisfaction with current penal systems stems from the punitive logic of

¹ For a more in-depth discussion of retributivism, which falls outside the scope of this article, see: Moore (1997), Zaibert (2006, 2010, 2018), Ewing (2018) and Didier (2018).

‘doubling the harm’, the difficulty of reconciling punishment with goals such as rehabilitation and social reintegration, the inefficacy in reducing recidivism and crime, the collateral consequences of sanctions, and the failure to support victims in overcoming trauma and understanding the complexity of their condition. Moreover, contemporary insights from neuroscience and moral philosophy challenge the assumption that we possess the free will on which notions of culpability and moral responsibility are traditionally grounded.²

Chronic prison overcrowding, persistently high recidivism rates associated with custodial sentences and the continued marginalisation of victims point to a deep and unresolved crisis in criminal justice. In this context, Cornwell’s (2023) analysis remains highly relevant, particularly for common law countries such as the United States and the United Kingdom. He argues that the roots of this crisis lie in media campaigns advocating for harsher laws, the consequent demonisation of offenders, the heightened collective perception of insecurity that fuels demand for stricter punishments, the lengthening of sentences and deterioration of detention conditions, persistently high recidivism rates and the reduction of alternative measures, accompanied by a parallel increase in incarceration.

A problematic aspect of traditional justice systems is that a model based solely on retribution tends to focus almost entirely on the offender. Administering justice in this framework requires identifying someone to punish, and when no responsible party can be found – such as in cases of crimes with unknown or deceased perpetrators – the needs of victims may remain unresolved. The purely punitive logic struggles to address these situations adequately. Moreover, understanding justice solely as the infliction of harm on those who have caused harm can conflict with the principle of responsibility as recognised in democratic legal systems. These systems guarantee the right to a fair defence (European Convention on Human Rights, 1950: art. 6), which includes the possibility for defendants to remain silent or present a version of events that may not align with the truth. In a purely retributive system – sometimes described as mimetic or mirror-like – victims can face an ethical burden, as they are implicitly asked to base their claim to justice on causing further suffering. Not all victims identify with this perspective, and many pursue alternative ways to process the harm they have experienced. The traditional penal system is increasingly viewed as unsatisfactory, both morally and practically. In contrast,

2 Several scholars, both philosophers and scientists, have argued forcefully that free will is, in fact, an illusion, and that for this reason it cannot serve as a foundation for moral responsibility or criminal liability. The list of contemporary deniers of free will is, indeed, quite striking. See De Caro (2024).

research on restorative practices consistently shows that most victims – over 85 per cent – report satisfaction with their involvement (Beckett, Campbell, O'Mahony, Jackson & Doak, 2004; Shapland, Robinson & Sorsby, 2012; Strang, 2002; Strang et al., 2006; Umbreit, 1993). Offenders also often value the opportunity to express remorse, meet the person they harmed and actively participate in the process (Shapland et al., 2012). Additionally, they appreciate not being automatically labelled as inherently 'bad' individuals (Morris & Maxwell, 2001). These findings highlight that administering justice is not simply a matter of imposing punishment. Effective justice also requires comprehensive crime prevention strategies that integrate educational, social and economic interventions aimed at promoting collective well-being. A society can be said to truly flourish only when it is committed to safeguarding the dignity of all its members – including those who have committed offences – a goal that restorative approaches help to achieve.

2 Restorative Justice

Howard Zehr (1990) is widely recognised as the founding father of restorative justice. After highlighting the limitations of the retributive model, Zehr proposes two alternative frameworks: the historical and the biblical (Johnstone, 2021: 76). The historical model, which he terms 'community justice', emphasises that behaviours we now label as crimes – typically considered violations of society warranting punishment – were historically understood as interpersonal conflicts arising from harm, to be resolved within the community through restitution. The biblical model, which Zehr calls 'covenant justice' (Johnstone, 2021: 76), presents a broader and more nuanced conception of justice. While justice in the Bible is certainly associated with the punishment of wrongdoing, it also encompasses richer relational and moral dimensions.

According to Zehr, biblical justice is holistic and relational, centred on living in 'right relationship' with others. This perspective challenges many modern distinctions often taken for granted, such as the separation between corrective and social justice, the distinction between justice and mercy or love, and that between administering justice and addressing people's well-being (Johnstone, 2021: 76). In light of this, Zehr provided a definition of justice that restores and that has gained broad acceptance within the academic community: 'Justice involves the victim, the offender, and the community in a search for solutions which promote repair, reconciliation, and reassurance' (Zehr, 1990: 181). More recently, Zehr (2015) argued that the foundation of restorative justice lies in the principle of 'making things right': Justice and healing are pursued

through solutions co-constructed by the victim, the offender and the community, thereby fostering reconciliation at both the individual and collective levels (Zehr, 2015; see also Scholl & Townsend, 2024). Building on this principle, restorative practices typically take a flexible and informal approach, employing open-ended questions to encourage empathy, mutual understanding and perspective-taking among participants. This method encourages offenders to engage in meaningful self-reflection while offering a non-judgemental space to share their viewpoint. Zehr (2015) frames restorative justice as both a *relational mode of living* and a response to rule violations. Echoing practices found in Indigenous communities (Umbreit, 2003), narrative storytelling is central: Offenders are invited to recount the incident thoughtfully, clarifying the intentions behind their behaviour and the underlying needs they aimed to address, irrespective of the legal permissibility of their actions. The extent to which an offender actively participates in the restorative process is a key factor in its effectiveness (Bouffard, Cooper & Bergseth, 2017). The initial engagement between the offender and the facilitator sets the stage for healing and reconciliation (Clark, 2014).

Central to this process is the offender's acknowledgement of responsibility. Using open-ended, non-judgemental questions, the facilitator guides the offender to reflect on how their actions have affected both themselves and others, enhancing self-awareness and supporting the identification of practical steps to repair harm (Zehr, 2015: 282). Notably, restorative outcomes, including forgiveness, can occur even when the offender does not actively seek to make amends or repair relationships; this is referred to as unconditional forgiveness (Palazzolo, 2026). Nonetheless, conditional forgiveness – forgiveness granted in response to the offender's genuine remorse – may be more plausible within a restorative context, where emphasis is placed on the offender's accountability (Palazzolo, 2026). In contrast to retributive approaches, which concentrate exclusively on guilt and punishment, restorative justice emphasises reflection, collaborative problem-solving and accountability, fostering transformative change. Within this framework, Zehr identifies three core principles underpinning restorative justice: attention to the harm done and the needs of the victim; the obligation to repair, grounded in offender accountability; and the active involvement of all parties in resolving the conflict (Mannozi, 2017: 469).

Among the various formulations of restorative justice, the one proposed by Van Ness and Heetderks Strong (2015) stands out for its strong victim-centred orientation and for its conception of restorative justice as a genuine 'philosophy of justice', aimed at healing the harm suffered by victims and/or the community. This approach represents a radical departure from the traditional penal

paradigm: Wrongdoing is no longer understood solely as a violation of legal norms, but as an infringement of individual rights and a rupture of social relationships. Restorative justice thus marks a shift from justice as punishment to justice as healing (Pranis, 2007), fostering the reduction of negative emotions and the cultivation of positive sentiments such as empathy (Strang & Sherman, 2003). Alongside empathy, humility is also required: It calls for a moral transformation on the part of the offender, coupled with a certain degree of humility, and likewise on the part of the victim, who agrees not to fixate on the offender's wrongdoing or negative traits. According to Holmgren (1993, 2021: 225–226), humility prevents us from adopting a judgmental stance toward the offender, which would entail attributing excessive importance and status to ourselves, thereby neglecting what truly matters beyond the self – in a way that is ultimately harmful and destructive. The intrinsic value of every person, even the most grievous wrongdoer, prohibits any total moral condemnation of the individual. It is important to avoid what Murphy (2003) terms 'deep retributivism of character' – the tendency to pass judgment not only on the wrongful act but on the offender's entire moral character. Hence, entering the space of encounter among the victim, the offender and all other stakeholders calls for a transformation of character aimed at transcending the harm.

For this reason, restorative justice can be conceived as a form of forward-looking justice in which the narrative does not end with the harm but instead progresses toward its overcoming (Chapman, 2020). This forward-looking conception of justice makes moral change conceivable. Although restorative justice does not explicitly pursue forgiveness, remorse or reconciliation, the conditions it generates may nonetheless render these outcomes morally and relationally plausible (Acorn, 2004; Blad, 2013; Palazzolo, 2026; Zehr, 2015). It is important to distinguish between *forgiveness* (with a lowercase 'f'), which refers to everyday transgressions among acquaintances, and *Forgiveness* (with a capital 'F') (Suzuki & Jenkins, 2024: 280), which concerns grave violations and deep injustices, and therefore requires a radical transformation in the victim's way of living. Equally essential within the restorative justice process is the role of intrapersonal forgiveness. Within psychology, intrapersonal forgiveness is self-forgiveness, which often (not always) constitutes a necessary step toward interpersonal forgiveness. The experience of victimisation generates intense emotions such as anger, fear and anxiety that must first be acknowledged and processed (Suzuki & Jenkins, 2024), especially since these emotions can undermine the victim's autonomy and sense of safety (Pemberton, 2019; Suzuki & Jenkins, 2024). If these emotions remain unaddressed, there is a risk that the forgiveness granted to the offender becomes *hollow forgiveness* (Nisar, Yu, Iftikhar & Enright, 2025; Suzuki & Jenkins, 2024: 280; Yu et al., 2021) – that

is, forgiveness given as a rational decision but not genuinely felt emotionally, allowing resentment to persist. While in cases of minor harm it may be possible to bypass the emotional processing of the victim's pain, this does not apply in the context of restorative justice (Zehr, 2002). It is crucial that victims first release negative emotions through intrapersonal forgiveness and only afterward, if they wish, proceed to interpersonal forgiveness (Suzuki & Jenkins, 2024).

Restorative justice – by drawing upon the inner strength of victims – highlights shared values and engages participants on both emotional and spiritual levels. More specifically, by creating a context in which victims can process the harm they have suffered, restorative justice helps them to rediscover dignity and strength, essential elements for overcoming the emotional burden of the offence (Pranis, 2007; Suzuki & Jenkins, 2024). By fostering reflection on shared values, restorative justice reduces the distance between victim and offender, enabling the former to recognise the humanity of the latter – not by imposing forgiveness, but by offering it as a potential tool for personal growth (Pranis, 2007). Finally, by deeply involving emotional and spiritual dimensions, restorative justice supports a transformative process that allows victims to free themselves from anger and resentment, thereby promoting a sense of inner peace (Pranis, 2007). Encounters between victims and offenders, as well as collective dialogue practices, tend to generate relational contexts within which profound ethical responses may arise, even if they are not formally prescribed. What is crucial here is the concept of community and relational life. Restorative justice emerges as a form of community-based justice in which justice is not solely the concern of the victim and the offender, but of the entire community.

3 *Eudaimonia* and the Virtue of Friendship

The concept of community is extremely important and links restorative justice, conceived as community justice, to *eudaimonia* as conceived by Aristotle. According to Aristotle, a life of true value is one that achieves *eudaimonia*, conceived as genuine well-being, fulfilment and human flourishing. He does not equate the highest good with mere pleasure or transient satisfaction. Instead, he argues for a deeper notion: The ultimate good is living in a way that fully expresses what it means to be human. Achieving *eudaimonia*, therefore, entails thriving across the entirety of one's life (Annas, 2011). Aristotle conceives happiness as a distinctive form of activity of the soul, guided by virtue. This flourishing requires moderation, as virtues consist in hitting the right balance – acting

appropriately, at the right moment and in the proper manner. 'Eudaimonistic virtue ethics is a distinctive kind. For Eudaimonist virtue ethics living a flourishing life requires living virtuously' (Annas, 2026: 314). We cannot flourish without virtues. Aristotle argues that virtuous actions not only serve the individual but also benefit others, and that material or external goods should be directed toward supporting the well-being of the wider community. In this framework, Aristotle sees the role of political science as managing, co-ordinating and regulating the various activities and pursuits within a community to enable human flourishing (Teays, 2025: 83).

This perspective clarifies why Aristotle's ethical theory considers both the individual and the social structures in which they live. Since virtuous actions promote not only personal excellence but also the welfare of the community, it follows that when individuals aim to act rightly or virtuously, they simultaneously advance the common good. In this way, personal flourishing and the flourishing of the community are mutually reinforcing. For Aristotle, a virtuous act is chosen for its nobility, and it is noble precisely because it serves the collective well-being. Humans are thus 'political animals', as their full potential and purpose can only be realised within a social context. Aristotle also argues that moral traits exist along a spectrum, from deficiency to excess, with virtue lying in a balanced middle. Extremes on either end are prone to moral corruption (*Nicomachean Ethics*, 2019: 23). Practically, the aim is to find this mean. Any virtue can be better understood by examining its two opposing vices – one of excess and one of deficiency – both of which hinder the development of moral character (Teays, 2025: 83).

For Aristotle, virtue is fundamentally a necessary component of flourishing, which is achieved through action in accordance with virtue. Since many virtues – such as justice, courage, generosity and honesty – are socio-relational, being realised only in relation to others, their cultivation must be intrinsically communal.

This relational structure of virtue is further articulated in Aristotle's conception of friendship as a constitutive element of happiness and of a fully fulfilled human life.

Aristotle states that 'is most necessary for our life. For no one would choose to live without friends even if he had all the other goods' (*Nicomachean Ethics*, 2019: 141). Moreover, when citizens share the desire and commitment to pursue what is just and beneficial for all, civic friendship arises (Cooper, 1990), which strengthens social unity and supports both the stability and proper functioning of the *polis*. Civic friendship is founded on shared virtues and common goals, embodying the ethical dimension of political life and linking moral development to social harmony. Human flourishing, which depends on the exercise of

virtue and friendship, is therefore intrinsically social and communal. This type of friendship reduces the need for coercive justice and reflects the mutual recognition at the foundation of the common good.

Eudaimonia, therefore, is a shared practice of virtue: Without the communal dimension, even the most virtuous individual cannot fully flourish. For Aristotle, happiness is not achieved in isolation (Hall, 2018: 162): Human beings, while enjoying brief moments of solitude, realise themselves fully only within social life, through virtuous relationships of exchange and mutual support. Hall emphasises that, within virtue ethics, it is not enough to respond passively to friendship; one must be proactive, promote cooperation and take initiative.

Moreover, in Aristotelian political theory, the bonds between fellow citizens represent a particular form of friendship based on utility, as they arise from mutual benefit; a state functions properly only when these friendly and collaborative relationships are present (Hall, 2018: 162–163). The common good is realised through the virtue that unites the members of a community, creating bonds of friendship that guide everyone toward the good. Such relationships ensure justice, mutual respect and the fulfilment of collective needs through shared assistance.

The common good therefore requires that members act virtuously. Actions prescribed by the law aim to educate citizens toward the common good, understood as the happiness and well-being of its members. Since virtue generates happiness both in the individual and among the members of the community, the prosperity of a community is measured precisely by the degree of virtue and happiness present within it. Aristotle indeed emphasises that we define as just those acts that contribute to creating and sustaining happiness in the political society. Following Aristotle, the common good is embodied in the friendship among community members. Moving from the theoretical to the empirical level, VanderWeele et al. (2025) noted that flourishing is not a single attribute but a multifaceted state encompassing every dimension of life.

An individual may experience considerable well-being in certain areas while facing challenges in others, and no single measure can fully capture this complexity – only particular components of it. Moreover, flourishing represents an ideal toward which one aspires, yet it is assessed in terms of an individual's progress toward that ideal, acknowledging that complete flourishing is never fully attained and that there is always room for further growth.

Flourishing involves both objective conditions and subjective experiences of life. Perceptions of what is 'good' vary across cultures and social contexts; nevertheless, there is likely substantial agreement on certain fundamental elements. Finally, flourishing encompasses the broader contexts in which an individual lives, including their communities and surrounding environment. While 'flour-

ishing' and 'well-being' are often used interchangeably, flourishing specifically implies that the environment itself should support personal growth and be part of one's overall flourishing. An individual's flourishing is intertwined with the well-being of their community, reflecting participation in the common good. In this sense, whereas well-being may be defined as the relative attainment of a state in which all aspects of a person's life are good as they pertain to the individual, flourishing extends this notion to include the health and flourishing of the community and environment as well.

The implications of this perspective extend beyond the individual and involve the entire community. In a flourishing state, citizens, while engaging in different occupations, share the common goal of the community's well-being (Hall, 2018: 164; Teays, 2025: 84). Virtues, therefore, not only contribute to the formation of character but also lay the foundations for a constructive community oriented toward the good of its members. Within this Aristotelian intellectual framework, it becomes necessary to analyse Aristotle's theory of justice and examine how it addresses the virtue governing relationships among members of a community.

4 The Critique of the Aristotelian Virtue of Justice

Richard Kraut (2002: 98) points out that many readers find Aristotle's discussion of justice in Book V of the *Nicomachean Ethics* somewhat tedious or unengaging. While the *Politics* – particularly in Book III – offers a broader and more integrated exploration of justice, the *Nicomachean Ethics* seems preoccupied with drawing fine-grained distinctions and commenting on issues in a way that feels scattered or lacking clear logical flow.

This difficulty in presenting justice clearly has contributed to a broader perception among scholars that Aristotle's account of justice is one of the weaker aspects of his ethical theory. Criticism has focused on his unclear identification of justice's proper object, his problematic account of the motives that distinguish just from unjust conduct and the limited reach of his theory in addressing obligations toward individuals outside the *polis* (Annas, 1993, 1995; Curzer, 2012; LeBar, 2014, 2020; Williams, 1980).

He distinguishes between a broad and a narrow sense of justice. In the former, general justice, a just person is a virtuous or morally good individual; in the latter, particular justice, a just person is one who treats others fairly with regard to external goods, independently of virtues such as temperance or courage. This latter type of justice is further divided into distributive justice, which follows geometric proportions, and corrective justice, which aims to remedy

harm, wrongdoing or crimes according to an arithmetic proportion: One who has suffered a loss receives it back in full, while one who has gained unfairly must return the advantage. The law, therefore, concerns itself exclusively with the difference created by the harm, without taking into account status or merit, and restores balance between the parties involved (Zingano, 2019). The motive for injustice in both cases, Aristotle asserts, is ‘the pleasure derived from gain’ (*pleonexia*, see *Nicomachean Ethics* V. 2, 1130b4) (Williams, 1980).

Here, I adopt Mark LeBar’s (2025) critical analysis of Aristotelian justice, which I find especially compelling. Based on this, I argue that this particular virtue needs to be reconsidered, as Aristotle’s treatment of the virtue of justice raises certain issues. On the other hand, as Julia Annas (2026) and Mark LeBar (2025) note, we cannot blame Aristotle if some of his claims no longer appear widely acceptable.³ The problems posed by his theory, as LeBar observes, are:

1. The doctrine of the mean as applied to justice is deeply at odds with the way Aristotle understands the same doctrine for other ethical virtues. What is missing here is essential for the entire Aristotelian conception of virtue, and it is precisely his idea of virtue and the way it is connected to happiness that makes his theory particularly appealing.
2. Aristotle is overly focused on the link between justice and ‘the equal’, which in Book v of the *Nicomachean Ethics* he interprets in a way that is of limited use, treating it as a matter concerning external goods of fortune rather than as an issue related to our relationships with others. As Bernard Williams (1980) famously argues, Aristotle places an excessive emphasis on *pleonexia*, commonly understood as greed, thereby limiting his account of injustice too narrowly.
3. Aristotle connects the virtue of justice to *koinonia* (‘community’) and the common advantage. Here, justice is based on the idea that others are entitled to justice from us only if they can participate with us in projects of mutual benefit. Aristotle does not provide a basis for the duties of (particular) justice toward those who lie beyond his political community, giving rise to what is known as the problem of parochiality (Jagannathan, 2024).

According to Aristotle, each virtue is realised through a mean, which is determined by proper reasoning (*orthos logos*). He emphasises that this mean cannot be fixed independently of the exercise of virtuous judgment. In other words, virtue is a disposition that involves making choices, aiming at the right

3 For further discussions of Aristotle’s theory of justice, see Curzer (1995) and Bloomfield (2024).

balance for each individual, as determined by the reasoning of the prudent person (*phronimos*). In this context, Aristotle's term 'reason' corresponds to *logos* (LeBar, 2025: 45). One way to interpret his thought is to suggest that there are pre-existing rules, which intellectual virtue is meant to discern, while moral virtues are expected to respond to them. Under this reading, the normative standard exists independently of the exercise of virtue. This perspective, which frames the relationship between a virtue and the rule defining its mean as prior to moral activity, is referred to by LeBar as a recognitionalist or 'norm-prior' conception of how a virtuous person engages with reasons (2025: 38). Values and the mean are sometimes viewed as 'out there', to be correctly learned in order to respond to them appropriately. Another reading, however, regards Aristotle as supporting the role of virtue in determining the mean in particular cases: There is no independent normative canon, because it is the judgment of the wise and virtuous agent that establishes the norms and dictates what is right to do. This perspective is known as the virtue-prior conception (LeBar, 2025: 46). Just as the norm-prior reading exemplifies the recognitionalist position regarding reasons, the virtue-prior conception exemplifies the constructivist perspective. Aristotle holds that there are norms of proportionality for distributive and corrective justice, which even those who lack the virtue of justice can understand and follow in particular cases. From his treatment of the virtue of justice, therefore, a natural inclination toward the norm-prior conception emerges. The problem, as LeBar notes, is that accepting the norm-prior view would mean giving up what is distinctive and appealing about virtue ethical theories in general, and particularly those of Aristotle. If we define virtue based on right actions and then interpret it as a disposition to perform them, our theory of virtue begins to resemble that of Mill or Kant (LeBar, 2025: 49). In fact, Aristotle – outside of justice – is consistently virtue-prior: The norm-prior perspective appears only in the discussion of justice. The idea that there are pre-existing norms for the mean of the virtues prior to their exercise finds no support elsewhere and is here rejected. Treating the virtues as mere applications of isolated norms risks emptying Aristotle's doctrine of the reciprocity between virtue and practical wisdom: If virtue consists in following already given norms, why should the virtues influence one another reciprocally (LeBar, 2025: 51)? Aristotle distinguishes 'natural virtues' from character virtues 'in the strict sense' (Annas, 2011; LeBar, 2025) through practical wisdom, which guides moral education and habituation and links virtue to happiness. If practical wisdom were merely receptive to pre-existing norms, as in the norm-prior perspective, it would be difficult to explain the interdependence of the virtues or to distinguish natural from acquired virtues. According to the virtue-prior interpretation, practical wisdom directs passions and actions toward the right

measure, providing the basis for the mutual dependence of the virtues: One cannot possess a virtue without possessing the others (Annas, 2011). Wisdom, applied to all dimensions of acting and feeling, ensures that a failure in one domain (e.g. courage) affects others (e.g. justice). By contrast, the norm-prior account struggles to explain this interconnection: Predefined norms do not clarify why the virtues should develop together or not. The norm-prior view gives the impression that Aristotle considers the virtue of justice unique among the virtues, but this interpretation is mistaken. Moreover, this approach leads to a misunderstanding of the value of economic exchange, delaying the development of Western economic thought until the nineteenth century: not a major ethical error, but a missed opportunity to develop a general theory of value. In Book v of the *Nicomachean Ethics*, Aristotle focuses on justice in relation to material goods, holding that their distribution determines fairness. However, Plato had already shown that the paradigmatic examples of injustice – telling the truth, repaying a debt, keeping a promise – concern the relationships and motives with which we treat others, not material goods. Thus, breaking a promise constitutes acting unjustly even without involving wealth or objects. A second problem with focusing on goods of fortune is that Aristotle attributes injustice to *pleonexia* (greed or selfishness). Yet this motive is not necessary: One can act unjustly without personal interest. As Bernard Williams observes, while justice motivates the virtuous, injustice requires no particular motive; the unjust individual may simply disregard justice without being driven by selfishness or greed.

Aristotle attempts to formulate a rule for just exchange based on proportional equality, but this distracts from a true general theory of value. By focusing on *pleonexia* and zero-sum exchange, he treats one person's gain as necessarily another's loss and considers the value of goods as intrinsic (LeBar, 2025: 57). In reality, value is relational, depending on the use and appreciation of goods by the people involved. Thus, exchange can create mutual benefits without anyone losing, and justice does not merely require equalisation of goods but also guides how to live and cooperate fairly. Aristotle misses a crucial point about economic value: Exchange occurs because each party assigns greater utility to what they receive than to what they give up, not because the goods are equal in value. Value is relational, depending on the utility that individuals attribute to goods, and it is not an intrinsic property of objects. Consequently, in a just exchange, we do not seek equality of value but the satisfaction of the preferences of the parties involved. Aristotle intuited the relationship between goods and demand, yet he remains anchored to norms of proportionality and reciprocity, losing sight of the implications of his own theory of value.

Nevertheless, he already possessed a virtuous conception of value: External goods are truly good only if used by virtuous persons in virtuous activity. This explains why, for the noble person, what is profitable is also noble, whereas for the vicious it does not coincide. In other words, the value of goods depends on their role in the actions of virtuous or non-virtuous agents. This ethical concept, while not the central problem, is relevant for understanding how a correct interpretation of justice must consider value as relational and dependent on the virtue of the agents. Since Aristotle's conception of particular justice as a character virtue is fundamentally political, it primarily applies to fellow citizens and, to a lesser extent, to friends and family, with whom our own good is so closely tied that the other-regarding aspect of justice is weaker (Jagannathan, 2024: 892; LeBar, 2025: 63). But as Howard Curzer writes:

We must be open to the possibility of having justice-duties toward anyone. But Aristotle does not think that we actually already have justice-duties to people who are outside of our friendships. We may try out our new swords upon non-friends without acting unjustly (Curzer, 2012: 287).

A second aspect of this problem concerns the seemingly universal or cosmopolitan nature of justice obligations, which appear to extend to all human beings, regardless of whether we have an existing relationship with them or not. This approach is problematic: It limits duties of justice to relationships within the *polis* or among friends, ignoring the modern idea that duties of justice can extend to all.

Thus, the Aristotelian conception of justice exhibits profound flaws: It treats justice as a norm-prior virtue separate from the other virtues, links it to material goods and *pleonexia*, and overlooks the useful insights of his theory of value. Moreover, it provides no tools for understanding what it means to be just in a liberal or cosmopolitan context. A new approach is therefore needed, one that preserves the structure of the particular moral virtues (such as the role of practical wisdom and the mean) while completely rethinking the virtue of justice, detaching it from reciprocal benefit and making it applicable to all individuals.

I aim to provide a different approach to the virtue of justice by adhering to the conception of the particular moral virtues that Aristotle offers beyond the context of justice, including the role of practical wisdom in unifying the virtues and the notion of the mean as the standard of success for each virtue. Among the advantages of conceiving the virtue of justice like the other virtues is its essential connection to human well-being and happiness (*eudaimonia*).

For this reason, it is plausible not to adopt justice as theorised by Aristotle, but rather to conceive of justice as one of the moral virtues, analogous to the other character virtues he theorises. This approach provides a significant benefit by working within the Aristotelian framework. It is to this virtue of justice as a character virtue that I turn now.

5 Justice as a Character Virtue

We have noted that Aristotle does not treat the virtue of justice as a character virtue in the strict sense. What, then, are character virtues? Virtues are positive qualities or excellences of character (Palazzolo, 2025). According to virtue ethics, a given action is right if and only if it corresponds to what an agent with a virtuous character would do in the same circumstances (Annas, 2026). From this perspective, character is the core of moral action. Assuming the eudaimonistic view that virtues are character traits necessary for living a flourishing, prosperous and happy human life (Oakley & Cocking, 2001: 27–28), happiness is a function of how one lives one's life and how one faces it. As Julia Annas observes, happiness does not depend on the things one possesses or on being beautiful, powerful or wealthy (Annas, 2011: 129). A happy life is not one in which one owns everything: Many people have much yet are not truly happy. Rather, a happy life is one in which one manages well what one has and navigates illness, poverty and the adversities of life effectively (Annas, 2011: 123).

This vision of happiness does not prescribe what one must have to be happy or how one should change the circumstances of one's life; rather, it suggests that in any circumstance, we ought to consider our lives carefully and strive to live them well (Annas, 2011: 129).

In light of this, the institution of justice ought to be guided by virtue; that is, it should take its form from virtue. More generally, the term 'justice' encompasses two conceptual dimensions: a moral dimension, understood as virtue, and an institutional dimension, referring to the formal system that administers it. However, institutional justice does not necessarily ensure the enactment of justice as a virtue. Restorative justice, in contrast, seeks to reclaim the dimension of justice as virtue within the institution of justice, restoring centrality to relationships, responsibility, and the reconstruction of social bonds, rather than merely adhering to a retributive logic.

Justice conceived as a virtue represents a way of being that promotes both individual and collective well-being, fosters the full development of the person, and creates the material and spiritual conditions necessary for the flourishing of sentient beings (Arrigo, Bersot & Sellers, 2011; Williams & Arrigo, 2021). In

contrast, justice conceived as an institution is predominantly identified with conformity to principles, obedience to rules, and the application of formal procedures.

However, the actions of institutions cannot – and should not – replace the embodiment and cultivation of virtue within the moral agent.⁴ Likewise, mere compliance with a rule cannot and should not take the place of developing the internal dispositions that make genuinely just action possible. In this sense, the concept of ‘justice’ as a virtue is intrinsically invoked by the term *restorative*: It refers to the idea of restoring a disrupted balance, repairing damaged relationships and rebuilding trust. Conversely, the use of ‘justice’ in its institutional sense can generate ambiguity, suggesting an artificial opposition to the traditional penal system.

The legal paradigm of restorative justice transcends the traditional dichotomy between the State and the offender by introducing a tripartite approach that also involves the victim and the community. Restorative justice requires a shift in perspective: An offence is not merely a violation of rules, but a harm inflicted upon individuals and relationships, undermining trust and social cohesion. Consequently, responding to wrongdoing with further harm is inappropriate; instead, the damage must be repaired through the engagement of all stakeholders – victims, offenders and the community. Unlike criminal justice, which reduces an offence to an abstract category, restorative justice places people and their needs at the centre, aiming to rebuild relationships while respecting the dignity of all parties.

Victims’ needs include the right to be informed, to tell their story and to regain control over their lives, as well as to receive some form of restitution. Offenders need to assume responsibility for their actions – often hindered by the judicial system – and require support for personal change and reintegration. The community, in turn, must restore trust, care for all involved parties and sustain positive relationships. Offences and their consequences are not merely judicial problems but require the integrated involvement of all stakeholders. Restorative justice is grounded in the notion of lived harm, emphasises dialogue and seeks to repair wounds through respect, solidarity and shared responsibility. The participants themselves are an essential resource for jointly identifying appropriate solutions to address the injustice. Its primary aim is to address the consequences of crime in an integrated manner, responding to the needs of all involved and restoring the disrupted balance, in accordance with

4 For a further discussion of justice as both a virtue and an institution in the ancient Greek world, see especially Annas (1993).

principles of fairness and equity. Restorative justice does not entail the total abolition of the traditional penal system; rather, it assumes a complementary function, transforming its most entrenched aspects and surpassing a purely punitive approach.

As Williams and Arrigo (2021) aptly emphasise, the conception of justice as a virtue originates from fundamental questions about human relationships that lie at the core of restorative justice, which is grounded in a human-centred and accountability-oriented model built on trust. These questions include: 'What is our relationship with others?' 'Which attitudes should we cultivate toward others?' And 'how ought we to behave toward others?' In this sense, justice as a virtue represents a set of dispositions of thought and feeling that guide the way we relate to others. Rather than residing in laws, policies or institutions, justice is manifested in the individuals who design, implement and animate social rules and practices; it is their moral and character dispositions that determine whether these structures foster just or unjust conditions. Consequently, it is inaccurate to regard laws, policies or institutions as inherently just or unjust: Justice should instead be understood as a quality of human character. Nonetheless, it remains common to conceive of justice and injustice as derived from law and legality, and thus conditioned by their application.

The question of justice ultimately concerns the just person. Justice does not exist independently of just individuals, nor can it be conceived as a separate entity to be pursued or attained. This point is also emphasised by Ferrara (2008) and later by Mazzucato (2017) in terms of exemplarity. A law should derive its strength not from authority, but from being exemplarily just, and thus acceptable to all. This, in turn, provides individuals with the motivation to be just, to exercise the virtue of justice.⁵

Justice is realised when we act justly, cultivate just relationships and restore rightness after a wrong. Unlike the retributive model, which equates justice with mere conformity to the law, justice as a virtue is grounded in personal commitment to the good: To be just is to act from moral motivation, not from mere obedience.

The traditional conception of justice often overlooks that we are not isolated individuals, but inherently relational beings oriented toward the common good. It is by recognising our membership in a community with shared purposes that we truly understand the meaning of justice and are able to embody it. Within this framework, the atomistic notion of the individual is misleading:

5 For a further examination of the virtues of those who professionally practice justice, see the works of Lawrence B. Solum, especially his 2007 publication in *Revista da Faculdade de Direito de Conselheiro Lafaiete*, Nova fase, 3.

Justice as a virtue is expressed through the promotion of both personal and collective flourishing. Dispositions that sustain communal *eudaimonia* are thus essential for creating and maintaining meaningful communities, founded on strong relationships, social cohesion and mutual support.

In this context, justice emerges as a central virtue, as it guides human behaviours both in refraining from harming others and in acting concretely for their well-being.

According to Williams and Arrigo (2021), the virtue of justice has a dual dimension. The first, negative, involves the disposition not to harm others and not to obstruct their fundamental needs and interests, thereby promoting an attitude of non-violence and mutual respect. This awareness of the harm caused by unjust actions directs us to avoid adding suffering to suffering. The second, positive, concerns actively promoting the well-being, fulfilment and full development of others, contributing proactively to the common good. Justice, understood as a virtue, is therefore a disposition or way of being that requires not only abstention from wrongdoing but also the adoption of positive actions, and it is fully realised only when effectively practised in everyday life. In other words, justice serves to show that it is not retaliation that transforms wrongdoing into justice, but rather the reciprocity of just relationships. Wrongdoing remains harmful because it represents a failure to realise our shared humanity, both for the victim and the wrongdoer, as it obstructs openness to relationality and the possibility of relying on attitudes of mutual support. Acting justly, therefore, means promoting liberation from harm for all. In this context, a natural link emerges between justice and forgiveness: Restoring justice is possible only by rejecting the logic of mere retaliation, while maintaining the commitment that those who have committed wrongful acts assume responsibility for their actions and can return to a course of life aligned with the common good (Eusebi, 2024: 97–98). These elements help define the very concept of forgiveness, which does not imply passivity or indifference toward the harm suffered (Palazzolo, 2026).

6 Concluding Remarks

This article has examined how restorative justice embodies a form of eudaimonist justice that is forward-looking, relational and character-centred. Drawing on Aristotelian virtue ethics, it has been argued that conceiving justice as a character virtue – rather than as mere institutional adherence to rules – provides a coherent framework for aligning justice with human flourishing (*eudaimonia*) and friendship. I have shown how Aristotle's concept of *eudaimo-*

nia is intrinsically linked to the communal dimension of human life. Human flourishing is not an individual achievement, but a shared practice grounded in virtue, friendship and the pursuit of the common good. Since virtues are essentially relational, they can only be fully realised within a political community. This Aristotelian framework highlights that justice and moral development are inseparable from social bonds and collective well-being, thereby excluding a coercive conception of justice and replacing it with one grounded in civic friendship and shared virtue. Through the analysis of Aristotle's theory of justice, I have highlighted its conceptual shortcomings: its overemphasis on external goods and *pleonexia*, its normative separation from other moral virtues and its limited applicability to contemporary liberal or cosmopolitan contexts. These limitations, however, do not undermine the broader Aristotelian framework of virtue ethics, which continues to inform contemporary ethical debates and guide responses to some of the most pressing social challenges of our time. Restorative justice operationalises justice as a disposition that both restrains harm and actively promotes communal *eudaimonia*. Its practices – centred on dialogue, responsibility and community participation – show that justice is inseparable from virtue and the moral character that allows a community to flourish. Thus, restorative justice provides a model of ethical and communal flourishing that aligns with, yet extends, the Aristotelian conception of *eudaimonia*.

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