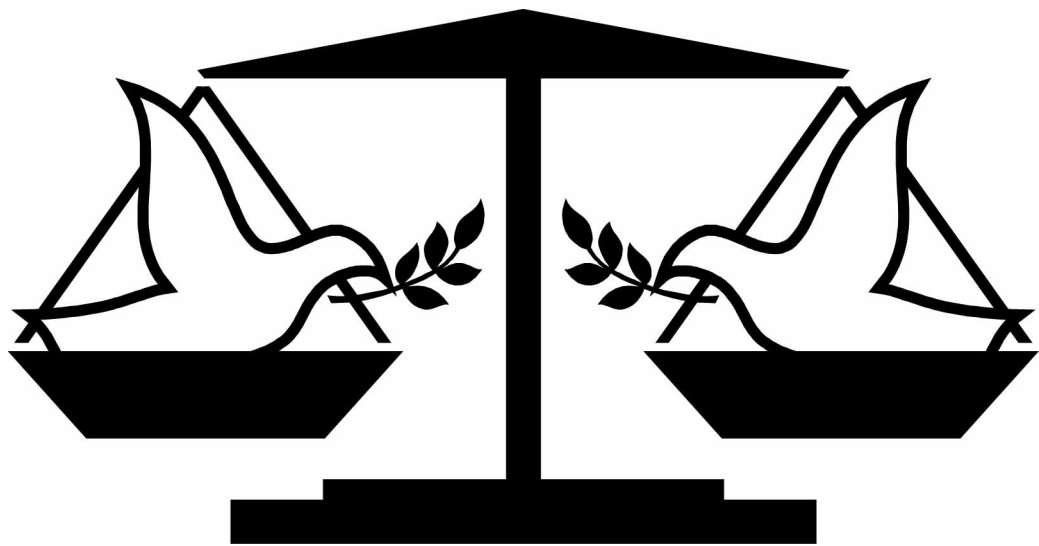




# KNOX LIFE

JULY 2015



# JUSTICE

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# A Call for Justice: the ultimate goal?

Matthew Jack

A couple of days before my grandmother was due to return from a holiday up North, someone broke into her house and stole a lot of her stuff. The police informed us, and we decided not to phone the news through to her at her motel. (This was in the days before mobile phones.) We reckoned that there was nothing that she could do, the situation



was under control, and there was no need for us to ruin the remainder of her holiday with bad news. We just made sure that she knew not to return directly to her house at the end of the holiday, but to come instead to our place for lunch on her way home (so we could break the news to her gently). I can't remember the details of how my mother conveyed the news, but I remember sharply that my grandmother said "O no" and then cried.

It was the first time (as far as I was aware) that anyone close to me had become the victim of a crime. I remember feeling angry – not just that it had happened, but also that there was no way of expressing our anger to the person who had done the crime. He (I assumed it was a "he") was nowhere to be addressed. He'd run away back into the shadows, leaving no conversation possible. That was frustrating. Equal with the frustration was the sense of outrage. Who gave this criminal the right to go into my grandmother's house and just take her things? It wasn't fair. I wanted justice.

This happened when I was in my early teens. I think if you had asked me what "getting justice" would have involved, I'm not sure I'd have been able to answer. It probably would have involved my grandmother getting her stuff back. It would have involved her being enabled to feel safe again in her home. It would have involved an opportunity for us to express our outrage and frustration. And it would have meant some form of punishment for the offender.



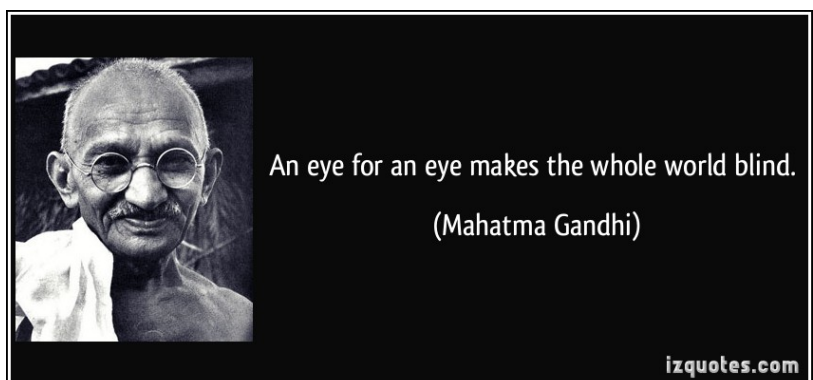
Punishment. I wonder why my “elements of justice” included punishment for the offender. Classically quoted reasons for punishment include:

- punishment as society’s voicing of its disapprobation - expressing how we feel (venting our frustration).
- punishment as a disincentive for re-offending - hoping against hope (and against statistical evidence) that fear of punishment will deter offenders from doing it again.
- punishment, particularly where it involves incarceration, as protection for the community – a pragmatic taking of chronically unsafe people out of the environment in which they can do damage.
- punishment as way of making the offender suffer – “you have caused suffering; it’s only right that you yourself (proportionately) should suffer”. Pain for pain; crime for crime; tooth for tooth; eye for eye.

In his now almost ancient commentary on Matthew, William Barclay, put the biblical “eye for an eye” concept into cultural context. He noted that in the time of Deuteronomy (from which the phrase originally came), judicial escalation was the norm. If one person from Tribe A offended against one person from Tribe B, commonly **all** people from Tribe B would aim to injure **all** people from Tribe A in response. To say “take an eye for an eye” is to say “take **ONLY** an eye”. It is a First Testament principle of limitation – of restrained and proportionate response. And when Jesus quoted the “eye for an eye” principle, he turned it into one of his “but I say to you” sayings. “You have heard it said: an eye for an eye, and a tooth for a tooth. But I tell you not to resist evil; but if anyone strikes you on the right cheek, turn the other to him also . . .”

Jesus seemed to be calling his people to a deeper engagement with agents of injustice – an engagement where natural reactions were replaced by prophetic actions – challenging the thinking, un-masking the methods, and revealing the wrong,

of those who offend. I don’t think this calls us to abandon our justice system. But it **does** call us to consider more carefully the place and purpose of punishment within the system. What actually are we trying to achieve as we punish one another? Is the goal a simple execution of vengeance? Or is the “doing of justice” meant to achieve something more?



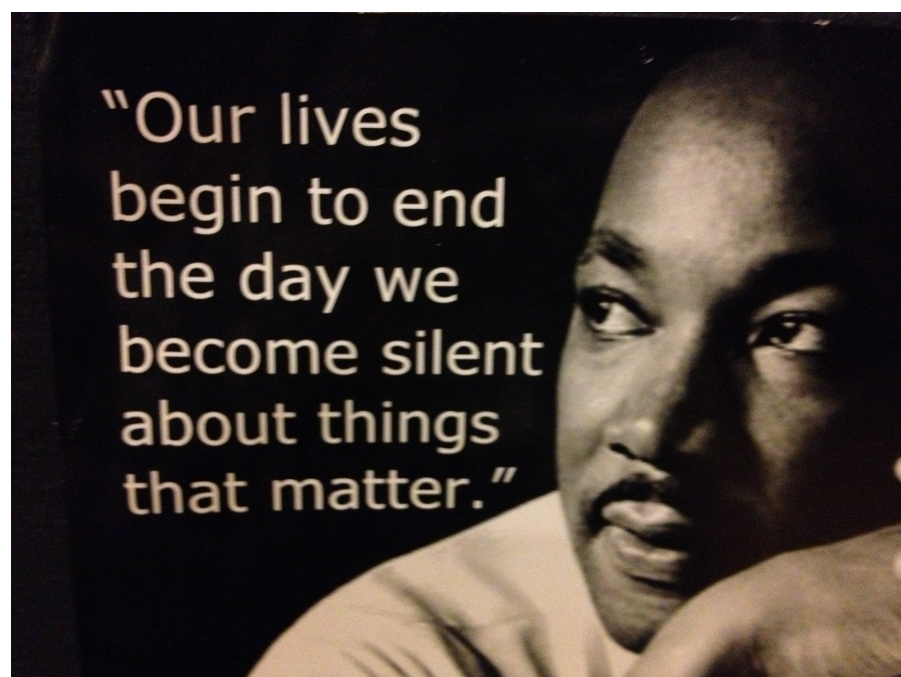


The great Christian narrative has as its final chapter the recreation of heaven and earth – the restoring to creation of the beautiful order in which it originally was made – the image of the garden in which all creatures related peacefully and properly to one another. If the restoring of God's peace (with all the



inter-creature right-relating that is part of that) is our goal, then that would be the thing against which we would critique our judicial system. Does protection of the vulnerable serve shalom? Does the expression of outrage serve shalom? Does proportional punishment serve shalom? What, in a situation of injustice, is a creative path towards shalom? What, when we are faced with the challenge of crime, are the best ways to work towards a better world?

I hope you will find things in this edition of Knox Life that will stimulate you to think about ways of building that better world.



# What is Justice?

Chris Wright

In scripture, Justice is mentioned in Deuteronomy 16:20:

**Justice, justice you shall pursue, so that you may thrive and occupy the land that the Lord your God is giving you.**

Tzedek (Justice) is a key word in the book of Deuteronomy. But what does it mean?

Tzedek/tzedakah is difficult to translate because of its many shadings of meaning: justice, charity, righteousness, integrity, equity, fairness and innocence. It certainly means more than strictly legal justice, for which the Bible uses words like mishpat and din. Deuteronomy 24:12-13 illustrates the point:

**If a man is poor, you may not go to sleep holding his security. Return it to him at sun-down, so that he will be able to sleep in his garment and bless you. To you it will be reckoned as tzedakah before the Lord your God.**

Tzedakah cannot mean legal justice in this verse. It speaks of a situation in which a poor person has only a single cloak or covering, which he has handed over to the lender as security against a loan. The lender has a legal right to keep the cloak until the loan has been repaid. However, acting on the basis of this right is simply not the right thing to do. It ignores the human situation of the poor person, who has nothing else with which to keep warm on a cold night. The point becomes even clearer when we examine the parallel passage in Exodus 22:25-26, which states:

**If you take your neighbour's cloak as a pledge, return it to him by sunset, because his cloak is the only covering he has for his body. What else will he sleep in? When he cries out to me, I will hear, for I am compassionate.**

The same situation which in Deuteronomy is described as tzedakah, in Exodus is termed compassion or grace (chanun). Tzedakah in Deut. 24 can be translated as "charitable merit", that is, "the right and decent thing to do" or "justice tempered by compassion". In Christianity, justice - tzedek as opposed to mishpat - must be tempered by compassion.

Why then is justice so central to Christianity? Because it is impartial. Law as envisaged by scripture makes no distinction between rich and poor, powerful and powerless, home born or stranger. Equality before the law is the translation into human terms of equality before God. Time and again

scripture insists that justice is not a human artefact: "Fear no one, for judgment belongs to God." Because it belongs to God, it must never be compromised - by fear, bribery, or favouritism. It is an inescapable duty, an inalienable right.

Christianity is a religion of love: You shall love the Lord your God; you shall love your neighbour as yourself; you shall love the stranger. But it is also a religion of justice, for without justice, love corrupts (who would not bend the rules, if he could, to favour those he loves?). It is also a religion of compassion, for without compassion law itself can generate inequity. Justice plus compassion equals tzedek, the first precondition of a decent society. In order for there to be peace, there has to be judges and judgment. Being a judge is one of the harder jobs in the world, yet it must be done. We could, theoretically, leave everything up to God. After all, He knows best how to judge people. He knows the truth. He knows our motivations. Let Him decide how and when to meet out justice.

Philosophically that may sound fine, but God instructed us to have judges and courts. He wants us to establish our own system of justice, even though He'll have His way with all the other details of judgment. We have principles to guide our justice. We want to express ourselves as a just society. But if human beings are fallible, then sometimes a judge is bound to make a mistake. Sometimes we won't know all the facts and there will be injustice. What happens then?

Then God's infinite wisdom kicks in and He settles things the way He wants to. Nothing gets unnoticed. Nothing is left unbalanced. Every detail of life is taken into consideration and brought in line with Divine justice. We need a court to decide whether or not David Bain is guilty of murder. But if he is guilty, and the system pronounces him innocent, he will still meet his ultimate justice - if not in this world, then the next.

**Dr. Christopher Wright B.Sc, B.Com, B.A.(Hons.), I.A, D.D, Th.D, D.Min, Ph.D**

Ulpan Graduate: Hebrew University of Jerusalem, Israel

And what does the Lord require of you?  
To act justly and to love mercy  
and to walk humbly with your God.

*Micah 6:8*

# **Resources from the Knox Library**

## **A review of “The Little Book of Biblical Justice”**

### **by Chris Marshall, Senior Lecturer, Victoria University.**

Len Pierce

#### **We, the Readers**

Hardly a day goes by without media carrying stories of the delivery (or not) of justice. Whether it be the distress at the sentence of youths who have knifed a loved dairy owner, or issues of aggrieved investors, or disputes over water rights, reparation of land confiscation, or wrongful conviction for past crimes, the Song of Justice flows through us like a haunting melody.

As Christian disciples we ask: “What does the Bible teach; can texts addressed to a world 2 - 3,000 years back still offer guidance in the torturous paths of justice?”

If young children have an innate sense of what is fair, how come there are such divergent views of how justice falls? Just think of the debates we have lived through: racial tours, foreign wars, gay / lesbian rights, abortion, euthanasia.

Justice is not easy – it involves pain, struggle and confusion.

#### **Now, to the “Little Book” (60 pages).**

It is truly impressive that Chris Marshall can show that “Justice is the dominant theme of the Bible”.

There are 1,000 references, and many more if we can count words that mean justice, but lost in our dated translation. “Justice” (Hebrew mishpat) refers to “equity in the distribution of social benefits and accountability for the violation of rights to life others.

“Righteousness” (Hebrew sedqua) doesn’t refer to religious piety, but being “right related to neighbour, to the vulnerable ones, to God and to the earth.”

“Shalom”. Peace means more than an absence of war. It’s greater reference is to a harmonious life, in balance, bringing health and contentment.

Finally “Judgement” (krisis) refers to the fair dividing of access to the means of living with enough to accord God’s high value on persons.

## **What is true and helpful in the “Little Book”?**

- It is readable, not technical. It doesn't just list text that sends you rustling through the skinny pages; he quotes passage: things have an agreeable flow.
- By expanding the view of justice beyond picky laws, rules, etc, he puts justice at the heart of Biblical theology, and –
- He shows how it is not an invention of humans, but flows from the nature of divinity. Justice is the song of the universe, the clue to the meaning and purpose of life's quest for beauty, harmony and fecundity.

Jeremiah the prophet: “For I am the Lord. I show unfailing love. I do justice upon the earth, for on these I have set my heart. (9.24)

Justice is God's passion

Amos: Spare me your songs  
Let justice roll on like a river  
and righteousness like an ever-flowing stream  
(5.23)

Marshall shows “Justice” at the core of Jesus' ministry: his incisive words directed at the violence, exploitation and lack of compassion at the heart of powers – Caesar's troops, Herod's corruption and avarice, and the Jewish leaders' grasping for their privilege. His life put him at odds with the power-brokers and led to his violent and unjust execution.

## **What would I like to have seen more of . . .**

Given the huge tasks and call for lifestyles that live within the needs of the earth – our home and massive challenges of climate change, despoiling of oceans, waters, forests, species depletion of animals, soils etc. I am disappointed more emphasis could not have been drawn to eco-justice.

The human to human teaching is well defined, but the cosmological setting of the Bible is missing.

- Genesis 1 tells us in its poetry that God harnesses the explosive energy, the chaos, and brings order, beauty and the blessing of life. Earth is not a backdrop for salvation history.
- Jeremiah has a strong sense of holistic justice in that greed and neglect of the land threatens the shalom.
- Jubilee and Sabbath practice build rest and recovery into agriculture. Even God rests.



- Paul, the writer of the Letter to the Romans, speaks of the whole creation in labour pains waiting for the emergence of God's offspring to join in the work of recovery.

So often we find when life is threatened and we awaken to our blindness to our peril, to our violence and our stumbling into the greatest challenge ever confronted by earthlings, we draw deeply from the Wisdom pool that lies untouched until we wake.

One such is the 12<sup>th</sup> Century abbess, healer, composer, artist and mystic, Hildegarde of Bingen:

"Humanity is a mirror of divinity called to walk on the paths of Justice, to sing Justice, into the hearts of men and women".

*from M. Fox "A Spirituality Named Compassion"*

-ooOoo-

Whatever other description there may be for restorative justice, at its heart it is a movement of hope and non-violence. It contains the possibility of offering people traumatised by crime or caught up on offending, a positive hope-filled and respectful way forward . . .

It should be welcomed as a genuine breakthrough in the resolution of conflict and in creation of justice. It is justice that matters, justice that everyone wants. Restorative processes will deliver better justice . . .

Restorative justice is a movement of non-violence. It provides a mature human response to complex situations of conflict and crime. It does not necessarily provide a solution to either. But it is a process that respects those involved and enhances the families and communities to which they belong. It recognises that violence is unacceptable and provides a non-violent but challenging and positive way of proceeding.

*Jim Consedine. Restorative Justice – a movement of hope.*

# **Justice . . . is it possible in our present climate of greed, anger, hatred and corruption . . . .**

Lynley Bell

On consecutive days last week, The Press reported on two major Justice Issues.

In the first, an article by John Bluck, formerly Dean of Christchurch, the heading stated **New Zealand lacks leadership on Refugees**

Bluck says..." *this is a horror story that gets worse by the day....the law of the sea says those who can help must. But there is no such law on land ...There is no legal requirement to host refugees. But there is a powerful moral imperative, rooted in the Gospel tradition of justice and mercy...Translating that imperative into government action is a challenge that overshadows most others right now, as new millions join the exodus from poverty, persecution and war"*

I sat down and thought about this article and jotted down names of individuals and organisations I consider have contributed to different aspects of justice around the world. No doubt, my names are just the tip of the iceberg.

Pope Francis, Rowan Williams, Mother Theresa, Martin Luther King, Bishop Tutu, St Francis of Assisi....

Abraham Lincoln, William Wilberforce, Lord Shaftesbury, Charles Dickens, Mark Twain, Harriet Beecher Stowe, Barack Obama, Nelson Mandela, Geoffrey Palmer, David Lange, Mike Moore, Helen Clark, Gandhi, Nehru....

Sir David Attenborough, Prince Charles, Zara Philips, Sir Edmund Hillary, Rob Green...

Organisations such as Green Peace, anti-Japanese whaling campaigners, World Protection for Cruelty to Animals, especially their fight to prohibit bear dancing, baiting and the bile industry...

SPCA, Dog Watch, Guide Dog training, Cats Protection League, Wild Life Parks, Zoos, Vets, those struggling to improve conditions in circuses ...

United Nations, Security Council, UNESCO, UNICEF etc, World Vision, CWS, Presbyterian Support, City Mission, Salvation Army, Student Army...

Phil and Sue Bagshaws' Charity Hospital, cut-price medical and dental services, Fred Hollows Foundation...

Pankhurst sisters, Kate Sheppard, Billie Jean King, Susan Devoy...

Those who give regularly to the many charities which abound...

The late Peter Williams QC, Cecelia Lashlie, Nigel Latta, Bob Dylan...

Police, Customs Officers, Judges and juries, teachers, lawyers, counsellors...

And so the list goes on...

So many aspects of justice and so many fighting to achieve it...

But, they are up against greed, power, corruption...US gun laws, the arms trade, rogue, racist cops, Ku Klux Klan, White Supremacists, Young Nazi Movement, war, Isis etc etc etc...

The second Press report is, I feel, a very pertinent finishing point for this article. It follows the slaughter of nine people at a historic black church in Charleston.

These are some of the statements made by Barack Obama....

***“I’ve had to make statements like this too many times... Communities like this have had to endure tragedies like this too many times. At some point, we, as a country , will have to reckon with the fact that this type of mass violence does not happen in other advanced countries...And it is within our power to do something about it... But we do know that once again innocent people were killed because someone who wanted to inflict harm had no trouble in getting their hands on a gun...”***

At Knox, we continue to fight for justice. Thanks to the dedication of Bruce Hansen during his two terms as Moderator, we won the battle to declare Knox an inclusive parish, but lost the war to include the wider church. Under the leadership of Matthew Jack, we are proud to declare our inclusiveness, always hoping that justice will prevail.

-ooOoo-

Never is God a tormentor of the human conscience. He buries our past in the heart of Christ. He came to weave our life like a beautiful garment with the threads of his compassion.

*Brother Roger of Taizé*

# Restorative Justice

## Judith Challies interviews Madeleine Church

Until a couple of days ago, my knowledge of the Restorative Justice programme was minimal. After spending some time talking with Madeleine Church who worked in this field for around 15 years, seeing her passion for this work, and hearing about everyday miracles that occur during this process, I am much better informed, and thankful for the many people who are involved both here in Christchurch and around our country.

Madeleine became involved in Restorative Justice after hearing Jim Consedine speaking about it at a Knox meeting. She then trained as a facilitator and attended many R.J. conferences between victims and offenders. Each conference has 2 facilitators, one to lead the conference and one to record details of what is said by all those there. These details are then made into a report to be given to the victim and to the offender as well as to the court if it is a legal case.

Before each conference, the 2 facilitators meet with the victim and offender separately to explain the ground rules for the conference process and to make sure that both want to proceed. The offender must admit guilt and be willing to apologise. No one is allowed to interrupt another participant. All will be given the opportunity to have their say. Both the victim and the offender are allowed to bring support people with them if they wish. These people are also given the chance to speak. The conference cannot proceed if the offender denies the charges.

The Restorative Justice process is where:

1. Victims of crime can be given a voice and their questions answered.
2. Apologies can be given and received.
3. Offenders are encouraged to take responsibility for the impact of their actions on others.
4. The emotional damage caused by criminal or antisocial acts can be lessened.
5. Practical and helpful resolutions can be found.
6. Community involvement and participation can be encouraged.
7. Peace and healing can be promoted when people want to show compassion and forgiveness.

Madeleine found her R.J. work extremely rewarding, especially seeing the change and improvement in people who arrived feeling anxious and afraid and left feeling relaxed and encouraged. Being able to speak and hear the truth, and be listened to respectfully, is so important.

Restorative Justice is available for:

- People who have been harmed by crime.
- People who have offended.
- Relatives, Whanau and friends.
- Members of the community.

Howard Zehr wrote a hand book about R.J. He said,

“The one word which is most important to restorative justice, above all others, is RESPECT; respect for all, even those who are different from us, even those who seem to be our enemies.”

Some notes form the Edmund Rice leaflet on R.J.

MYTH	REALITY
<b>Myth:</b> A soft option for offenders	<b>Reality:</b> Is harder for offenders when victims are personalised.
<b>Myth:</b> A new fangled experiment	<b>Reality:</b> Ancient and more recent societies have used R.J. e.g. Celts, North Americans, Marae justice for Maori
<b>Myth:</b> Pandering to offenders to get a lighter sentence	<b>Reality:</b> Giving victims a place in what happens and making their needs a focus.
<b>Myth:</b> Obliging angry distressed people to re-live the trauma and forgive.	<b>Reality:</b> Allowing victims the opportunity to express anger appropriately and have their questions answered, so they can move on.



# A poem

submitted by Kim Bathgate

## **My Message** *by Cecil Rajendra - Malaysian poet & human rights lawyer*

And now you ask  
What is my message  
i say with Nabokov  
i am a poet  
not a postman  
i have no message

but I want the cadences  
of my verse to crack  
the carapace of indifference  
prise open torpid eyelids  
thick-coated with silver.

i want syllables  
that will dance, pirouette  
in the fantasies of nymphets  
i want vowels that float  
into the dreams of old men.

i want my consonants  
to project kaleidoscopic visions  
on the screens of the blind  
and on the eardrums of the deaf  
i want pentameters that sing  
like ten thousand mandolins.

i want such rhythms  
as will shake pine  
angsana, oak and meranti,  
out of the pacific  
slumber, uprooot them-  
selves, hurdle over  
buzz-saw and bull-dozer  
and rush to crush  
with long heavy toes  
merchants of defoliants.

i want stanzas  
that will put a sten-gun  
in the paw of polar-bear and tiger,

a harpoon under the fin  
of every seal, whale and dolphin  
arm them to stem  
the massacre of their number.

i want every punctuation –  
full-stop, comma and semi-colon  
to turn into a grain of barley  
millet, maize, wheat or rice  
in the mouths of our hungry;  
i want each and every metaphor  
to metamorphose into a rooftop  
over the heads of our homeless.

i want the assonances  
of my songs to put smiles  
on the faces of the sick  
the destitute and the lonely  
pump adrenalin into the vein  
of every farmer and worker  
the battle-scarred and the weary.

and yes, yes, I want my poems  
to leap out from the page  
rip off the covers of my books  
and march forthrightly to  
that sea of somnolent humanity  
lay bare the verbs, vowels  
syllables, consonants ... and say

“These are my sores, my wounds;  
this is my distended belly;  
here i went ragged and hungry;  
in that place i bled, was tortured;  
and on this electric cross i died.  
Brothers, sisters, HERE I AM.”

### **From the Editor**

My sincere thanks to all who have contributed to this issue. There would be no Knox Life without the support and contributions of the Knox Community.