

‘In the Middle:’ Biblical Reflections on Restorative Justice

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Winnipeg, Feb 14-15, 2003

A note to participants in the Faculty Forum: This paper was prepared for Restorative Justice practitioners in MCC related and/or sponsored projects and ministries. The first part responds to the request to offer a biblical basis for Restorative Justice work, the second to the request for critique and questions. Readers for whom the biblical roots and dimensions of restorative justice are familiar may wish to concentrate their reading starting with the “transposability” issue on page 14.

1. Introduction

I have been asked to reflect on Restorative Justice in relation both to ways the Bible supports, undergirds, and nourishes the roots and practices of Restorative Justice, and also ways in which the Bible might subject what has come to be called Restorative Justice to critique and correction.

Twenty some years ago there was a clear need to lay a foundation, theological and biblical, for the emerging paradigm and practice of Restorative Justice, not least because the case still needed to be made. Now the case has been made. Today VORP is everywhere, mediation services, and prison ministries are flourishing.¹ Today the case is being made in wider society, but from a vantage point of strength, experience, and success. This is to be celebrated. It is a witness to courageous and often self-sacrificial engagement in the messy events of the wider society. It is one of the most exciting stories of mission in the past three decades.

Whereas twenty or even thirty years ago there was a need to find biblical warrant or permission for such engagement,² it might now be time to reorient ourselves again, to remind ourselves of the biblical taproot of Restorative Justice. After all, Restorative Justice has become a concept, a paradigm, an identifiable set of principles and practices which can be argued for in the public arena, indeed, which have garnered the adherence of a diverse community of practitioners far greater than the early pioneers could have imagined. The experience has, I suspect, sometimes outpaced biblical reflection and testing.

I am, of course, not the first to reflect biblically on Restorative Justice (e.g., Howard Zehr, Arthur Boers, Christopher Marshall, and John Paul Lederach). I am conscious of being deeply indebted to the rich contribution others have made to thinking biblically about Restorative Justice, whether Millard Lind’s reflections on biblical law, or John H. Yoder’s challenge to the church to be the church, or, more recently Miroslav Volf’s important reflections on forgiveness and victimization. I wish to offer some words of encouragement for the important task you are engaged in; and, I also wish to ask some questions for your consideration and discernment.

¹ E.g., Network for Conflict Resolution, affiliated with Conrad Grebel University College.

² ‘crime is a peace issue’: *Readings on Issues in the Criminal Justice System* (compiled and edited by Mennonite Central Committee Canada Information Services, 1980).

2. Restorative Justice—the Paradigm

Let me begin with a brief sketch of what I consider to be the central guiding convictions and practices of Restorative Justice.

The most foundational principles or axioms are essentially three:³

1. Crime is a violation not first of law but of persons and relationships.
2. Justice is not first the meting out of punishment but the repairing (“restoring” or “reconstructing”) of what has been broken.
3. Both victims and offenders need therefore to be reconciled to each other and restored to the community.

We might well add more detail here about how this is best done:

1. By implication the courts are not the arena in which justice is sought and worked towards; restoration happens best in the community of those most immediately affected.
2. Both offender and victim are *directly* involved in the process of exercising and creating justice, as are the circles of related and affected persons.
3. The process should be oriented not to fixing blame but assessing what is needed to mend what has been broken.
4. At the same time, for the offender to take responsibility for the injury or violation is of paramount importance for the mending or healing process. Accountability to victim and community is integral to Restorative Justice.
5. Taking responsibility will thus most often include restitution, that is, an attempt to fix what was broken (as over against the paying of a fine or incarceration).
6. The process is intended throughout to lead, via truth-telling, acknowledgment, and restitution, to reconciliation between victim and offender, and between offender and the community of those affected by the crime.

3. Biblical Foundations

It should not be surprising to find biblical precedent and warrant for much of what has just been listed. After all, the paradigm of Restorative Justice took shape within a womb of biblically informed piety and ethics. It emerged in the attempt to answer a biblically informed and urged set of questions: how can persons committed to peace, reconciliation, and restoration, inject that set of convictions and reflexes into the public arena of responses to crime? Practically, how can those gripped by the biblical vision reach out to both victim and offender? How can the response to crime lead to restoration of

³ As distilled from Howard Zehr, *Changing Lenses: a new focus for crime and justice* (Scottsdale, PA/Waterloo, ON: Herald, 1990); Arthur Paul Boers, *Justice that Heals: A Biblical Vision for Victims and Offenders* (Newton, KS: Faith & Life, 1992); Daniel W. Van Ness, “Pursuing a Restorative Vision of Justice,” *Justice: The Restorative Vision* (MCC U.S. Office of Criminal Justice/MCC Canada Victim Offender Ministries Program, 1989), 17-30; Susan Sharpe, *Restorative Justice: A Vision for Healing and Change* (Edmonton Victim Offender Mediation Society, 1998).

community rather than to the further alienation of the offender, and the further victimization of the victim?⁴

To begin with, then, it is important to assert that the paradigm of Restorative Justice finds deep wells of support and inspiration in the Bible. A few examples, related to the constituent elements of Restorative Justice briefly sketched above, will need to suffice.

1. *care for victims*

There are many and diverse ways in which special care for victims comes to expression in the Bible. I can do no more here than identify some dimensions of this care for victims:

a. *God*

God is repeatedly depicted as one who is attentive to injustice, most especially as it is experienced by those most vulnerable in society.

Psalm 33:13 The LORD looks down from heaven;
he sees all humankind.
14 [...] he watches
all the inhabitants of the earth-
15 [...]
and observes all their deeds.
[...]
18 Truly the eye of the LORD is on those who fear him,
on those who hope in his steadfast love,
19 to deliver their soul from death,
and to keep them alive in famine.
20 Our soul waits for the LORD;
he is our help and shield.

The great and troubling poem in Isaiah 59 offers us yet another glimpse.⁵ It begins, first, with a description of a society that has had the fabric of community torn by dishonesty, violence, and callousness. Note especially the following verses:

59:6 Their works are works of iniquity,
and deeds of violence are in their hands.
7 Their feet run to evil,
and they rush to shed innocent blood;
[...]
desolation and destruction are in their highways.
8 The way of Peace they do not know,

⁴ See the well known story of Dave Worth and Mark Yantzi's pioneering work in Elmira in 1974 (recounted in Zehr, *Changing Lenses*, 158-60).

⁵ For a fuller scholarly treatment of the poem, see Thomas R. Yoder Neufeld, *'Put on the Armour of God': The Divine Warrior from Isaiah to Ephesians* (Sheffield, UK: Sheffield Academic Press, 1997), 15-47.

and there is no Justice in their paths.
Their roads they have made crooked;
no one who walks in them knows Peace.
9 Therefore Justice is far from us,
and Righteousness does not reach us;
we wait for light, and lo! there is darkness;
and for brightness, but we walk in gloom.
[...11] We wait for Justice, but there is none;
for Salvation, but it is far from us.

A brief digression: John Paul Lederach has created a very effective “drama” based on Psalm 85:10, in which Truth, Justice, Peace, and Mercy interact in the creation of restorative justice⁶:

Steadfast Love and Faithfulness will meet;
Righteousness and Peace will kiss each other.

In Isaiah 59 we find a similar “mini-drama” in which personified virtues play roles, only now it is a dark and chilling drama, not of embracing and kissing, but of the desecration and despoliation of Justice, Righteousness, Truth and Uprightness, anticipated earlier in Peace (Shalom) and Justice being driven off the public roads (vv. 8, 9). This is a picture of what happens in a society, or in a set of relationships, shattered by violence, abuse, and the denial of justice.

59:14 Justice is turned back,
and Righteousness stands at a distance;
for Truth stumbles in the public square,
and Uprightness cannot enter.
15 Truth is lacking,
and whoever turns from evil is despoiled.

The dramatic focus shifts now to God, who, in verse 15, is depicted as noticing first that there is no one who addresses this state of violence and injustice, who “intervenes,” and in a fit of divine rage, puts on his own armour and goes to “war” against his own people.

59:15 The LORD saw it, and it displeased him
that there was no Justice.
16 He saw that there was no one,
and was appalled that there was no one to intervene;
so his own arm brought him victory,
and his Righteousness upheld him.
17 He put on Righteousness like a breastplate,

⁶ John Paul Lederach’s drama in *The Journey Towards Reconciliation* (Scottsdale, PA/ Waterloo, ON: Herald, 1999), 51-80, as well as in Reina Neufeldt, Larissa Fast, Fr Robert Schreiter, Fr Brian Starcken, Duncan MacLaren, Jaco Cilliers, and John Paul Lederach, *Peacebuilding: A Caritas Training Manual* (Vatican City: Caritas Internationalis, 2002), 41.

and a helmet of Salvation on his head;
he put on garments of vengeance for clothing,
and wrapped himself in fury as in a mantle.
18 According to their deeds, so will he repay;
wrath to his adversaries, requital to his enemies;
to the coastlands he will render requital.
[...]
20 And he will come to Zion as Redeemer,
to those in Jacob who turn from transgression, says the LORD.

We see how themes of attentiveness, liberation, and wrath together depict God as one who pays attention and acts to restore justice.

To be sure, God's action is here described as a remedial intervention. We will have noticed the angry frustration of God at the absence of anyone to "intervene" in verse 16. But who, other than God, might be envisioned for the role of attentive intervener on behalf of victims? There are several candidates.

b. king

Often, in the Old Testament it is the ruler who is called upon to "intervene." Indeed, the test of the monarch's faithfulness is tested in his care for those most vulnerable, for the victims of injustice, for the widows and orphans who have no one to care for them.⁷

Psalm 72:1 Give the king your justice, O God,
and your righteousness to a king's son.
2 May he judge your people with righteousness,
and your poor with justice.
[...]
4 May he defend the cause of the poor of the people,
give deliverance to the needy,
and crush the oppressor.
[...]
7 In his days may righteousness flourish
and peace abound, until the moon is no more.

Texts such as these are important reminders of the high expectations within the Bible of rulers. It is not, in the end, their might within which lies their security, but their attentiveness to those most vulnerable within their society, an expectation biblical writers had also of Gentile rulers.⁸

c. covenant people

Such intervention is not only expected of the ruler, however, but of the whole of the

⁷ Perry Yoder, *Shalom: The Bible's Word for Salvation, Justice, and Peace* (Newton, KS: Faith and Life Press, 1987), 96-99.

⁸ Note, e.g., the oracles against the nations in Amos 1, 2; cf. also Wisdom of Solomon 6:1-11.

people of God. The justly famous preceding chapter of Isaiah affords an important occasion to reflect on the importance of attentiveness and solidarity on the part of the covenant community as a whole with those who suffer injustice. In Isaiah 58 the prophet speaks the words of a God who is appalled that there are no interveners among those who clearly view themselves as deeply faithful, but have not made the connection between care for victims, a resolute response to crime, and the integrity of their own relationship with God.

58:1 Shout out, do not hold back!

[...]

Announce to my people their rebellion,
to the house of Jacob their sins.

2 Yet day after day they seek me

and delight to know my ways,

as if they were a nation that practiced righteousness (or justice)

and did not forsake the ordinance of their God;

they ask of me righteous judgments,

they delight to draw near to God.

3 “Why do we fast, but you do not see?

Why humble ourselves, but you do not notice?”

(Notice the people’s view of God as inattentive to their plight. Notice, too, the divine response:)

Look, you serve your own interest on your fast day,
and oppress all your workers.

4 Look, you fast only to quarrel and to fight

and to strike with a wicked fist.

[...]

5 Is such the fast that I choose,

a day to humble oneself?

[...]

6 Is not this the fast that I choose:

to loose the bonds of injustice,

to undo the thongs of the yoke,

to let the oppressed go free,

and to break every yoke?

7 Is it not to share your bread with the hungry,

and bring the homeless poor into your house;

when you see the naked, to cover them,

and not to hide yourself from your own kin?

8 Then your light shall break forth like the dawn,

and your healing shall spring up quickly;

your vindicator shall go before you,

the glory of the LORD shall be your rear guard.

9 Then you shall call, and the LORD will answer;

you shall cry for help, and he will say, Here I am.
[...12]
you shall be called the repairer of the breach,
the restorer of streets to live in. (*italics added*)

To recall the discussion of Isaiah 59, the phrases “repairer of the breach” and “restorer of the streets” is another way of referring to the “intervener” God so much misses in that chapter.

d. Jesus

In the New Testament, Jesus is presented as one in whom faithful king and faithful commoner combine, most especially in attentiveness to victims, to the vulnerable, and to offenders. We might think here of his care for the sick, the hungry, those afflicted and oppressed by forces beyond their control. We should think no less of his habit of eating with those pushed to the edges of society. Listen to his response to criticism on this matter:

When Jesus heard [the criticism against him for consorting and eating with sinners and tax collectors], he said to them, “Those who are well have no need of a physician, but those who are sick; I have come to call not the righteous but sinners.” Mark 2:17

True, as this text indicates, we might just as easily remember these aspects of Jesus’ life and ministry in relation to offenders (“sinners”), but here we should see that his reaching out to those on the margins was just as often an expression of care for victims—as a physician, as a healer. When his onetime mentor, John the Baptist, wants to know whether he is the one everyone has been waiting for, whether he is the king who will usher in the reign of God, Jesus answers:

“Go and tell John what you hear and see: the blind receive their sight, the lame walk, the lepers are cleansed, the deaf hear, the dead are raised, and the poor have good news brought to them. And blessed is anyone who takes no offense at me.” Matt 11:4-6

e. Paul

Paul learned well from Jesus, and correctly drew the inference regarding care for victims in his view of the church as the Messiah’s body. In Romans 12:8, for example, Paul calls believers to be “hilariously compassionate.” He goes on in verse 15 to urge his readers to “rejoice with those who rejoice, weep with those who weep.” This is a stance of solidarity with those who suffer injustice and subsequently restoration, the energy-filled stance, moreover, of those who have themselves experienced the reconciling intervention of God, God’s solidarity with them “while they were still weak” (victims), still hostile offenders (Rom 5:6, 8, 10).

It is true, of course, that Paul does not eliminate “wrath” from his depiction of

divine solidarity with victims. Verse 19: “Beloved, never avenge yourselves, but leave room for wrath; for it is written, “Vengeance is mine, I will repay, says the Lord,” a quotation from Deuteronomy 32:35. But wrath is not the job of God’s people. Theirs is one of solidarity with victims, to “weep with those who weep.” It is also one of solidarity with offenders. Paul quotes Proverbs 20:22:

“If your enemies are hungry, feed them; if they are thirsty, give them something to drink; for by doing this you will heap burning coals on their heads.” Do not be victimized by evil, but conquer (victimize!) evil with good. Rom 12:20, 21

To say that Jesus’ followers are to overcome evil not with evil but with good does not preclude their participation in the divine outrage at injury, violence, and injustice, at crime, big and small. Indeed, not to be outraged is not yet to stand in solidarity with the victim. Not to be appalled is not yet to be a fit “repairer of the breach,” a fit “intervener.”

Let me illustrate. In Ephesians 4:26 we read these striking words: “Be angry, but do not sin! Do not let the sun go down on that which provokes you to anger!”⁹ I will want to come back to this text, but here it is enough simply to indicate that outrage (anger) is a sign of solidarity with victims and a measure of moral sensitivity to injustice and crime. To be sure, none of this precludes an analysis which understands crime as emerging out of a nexus far greater and more complex than individual motivation.

On a related point, let me identify one more feature of attentiveness to and solidarity with victims in the Bible, namely, providing space within which victims can express outrage at having been victimized, or perhaps impatience at how long it is taking for justice to arrive. This Ephesian text can be read to urge victims to deal with that which provokes them to anger, with injury or crime against them. But victims are not always in a position to “deal with” the crime. They are caught in a vortex of injury, anger, outrage, impatience, betrayal, or bewilderment and numbness. The book of Job might be seen as one long poetic expression of outrage at being victimized and anger at God for allowing it to happen. Within contexts of pastoral care for those who have experienced deep injury or illness I have experienced more than once precisely this aspect of the story of Job as a profound means of providing the space for victims to scream at life, indeed, at God. Or recall the wrenching words of Psalm 22, repeated by Jesus on the cross (Matt 27:46//Mark 15:34):

Psalm 22:1 My God, my God, why have you forsaken me?
Why are you so far from helping me, from the words of my groaning?
2 O my God, I cry by day, but you do not answer;
and by night, but find no rest. [...]
6 But I am a worm, and not human;
scorned by others, and despised by the people.
7 All who see me mock at me;
they make mouths at me, they shake their heads;
8 “Commit your cause to the LORD; let him deliver-
let him rescue the one in whom he delights!”

⁹ Notice: a careful translation of *parorgismos* is not “anger” but “provocation to anger” (see Thomas R. Yoder Neufeld, *Ephesians* [BCBC, Waterloo, ON: Herald, 2002], 211-13.)

[...]

14 I am poured out like water,
and all my bones are out of joint;
my heart is like wax;
it is melted within my breast;
15 my mouth is dried up like a potsherd,
and my tongue sticks to my jaws;
you lay me in the dust of death.

[...]

19 But you, O LORD, do not be far away!

Psalm 69:3 I am weary with my crying;
my throat is parched.
My eyes grow dim
with waiting for my God.

Rev 6:10 [The witnesses] cried out with a loud voice, "Sovereign Lord, holy and true, how long will it be before you judge and avenge our blood on the inhabitants of the earth?"

The inclusion in the biblical canon of such accusations of divine *inattentiveness* and expression of outrage at injustice in a world that should not be so if there is a just God is itself an act of solidarity with victims. The importance of such solidarity cannot be overstressed as a stance of the church in the face of victimization. Sitting—sometimes silently—with the Jobs of this world is a holy act of solidarity. We dare not be Job's friends who have figured it all out, whose arguments are in place. Remember that at the conclusion of the book of Job, God severely criticizes Job's theologian friends: "You have not spoken of me what is right, as my servant Job has" (Job 42:7).

2. *care for offenders*

a. *repentance*

One of the central aspects of Restorative Justice is the need for offenders to come to understand what they have done, to acknowledge their responsibility, and then commit themselves to change. The Bible calls this repentance. "Repentance" translates two quite different words in the Bible. The Hebrew *shub* means "to turn," where "repentance" is not so much an expression of sorrow over what has been done but a "turning," and then "walking" in a new direction. The Greek *metanoia*, which, in addition to its presence in the New Testament usually translates *shub* in the Greek of the Old Testament, means quite literally "a change in thinking," a change of view, even sometimes "second thoughts." Again, this refers to more than sorrow, let alone apology. It requires seeing what was done in the light of truth, the truth of God, the truth of God's justice.

John Paul Lederach has for good reason made much of the story of Jacob and

Esau from Genesis 32-33.¹⁰ He stresses the importance of Jacob's "turning" toward his enemy, his brother. It is a truly moving story in which Jacob comes to see "the face of God" not only in the one with whom he wrestles all night at Peniel, but in the face of his enemy, his brother, the one whose birthright he had stolen. "Truly to see your face is like seeing the face of God," Jacob tells his brother Esau when they finally meet. In order for Jacob to come to this dramatic moment of reconciliation, he needed to "turn" toward the one whom he had so deeply injured.

This parabolic story reminds me of the closely related parable of the Prodigal Son/Prodigal Father¹¹ in Luke 15:11-32. Just as Jacob had to wrestle with the full significance of his turning, so the younger son's "turning" toward home is a consequence of the full recognition of where he has come to, how far he has fallen. His father's grace is only fully measured in light of the son's own recognition. In both stories the turning is met by a running toward the offender on the part of the offended. Both Esau and the father run toward the returning one and embrace and kiss them (Gen 33:4//Luke 15:20).

"Turning" is, of course, only one part of repentance. To see the face of God in the one whom one has violated presupposes a new way of seeing, a new way of thinking. It implies a "change of mind," as *metanoia* might well be understood.

b. *truth-telling*

A second critically important element in the care for offenders is telling the truth—the truth about *what has been done*, about the crime, and the truth about *what can be done* in terms of both judgment, grace, and restoration. We should therefore not be surprised that truth-telling is one of the most important practices of *love of neighbour*. The command to "love the neighbour as oneself" is probably the most widely known biblical teaching. For our purposes here it is useful to see a few of the ways it leaves its mark on several texts relevant to Restorative Justice.

The importance of truth-telling is illustrated, first of all, by being an essential expression of neighbourly love in the Holiness Code of Leviticus 19:17, 18.

You shall not hate in your heart anyone of your kin; you shall reprove ("expose," "confront," "correct") your neighbor, or you will incur guilt yourself.
You shall not take vengeance or bear a grudge against any of your people, but you shall love your neighbor as yourself: I am the LORD.

This indissoluble connection between truth-telling and love for neighbour leaves its mark on the New Testament. One expression of love for neighbour is the telling of truth as demanded in Matthew 18:

15 "If your brother or sister sins against you, go and point out the fault when the two of you are alone. If the member listens to you, you have regained that one. 16

¹⁰ John Paul Lederach's treatment of the story of Jacob and Esau in Genesis 32-33 in *Journey*, 17-26, and *Peacebuilding*, 43-45.

¹¹ "Prodigal" means "wasteful," "lavish." The father is nothing if not wastefully lavish in his love and mercy, to say nothing of his celebration in view of his son's "turning." See *Peacebuilding*, 40, 46.

But if you are not listened to, take one or two others along with you, so that every word may be confirmed by the evidence of two or three witnesses. 17 If the member refuses to listen to them, tell it to the church; and if the offender refuses to listen even to the church, let such a one be to you as a Gentile and a tax collector. 18 Truly I tell you, whatever you bind on earth will be bound in heaven, and whatever you loose on earth will be loosed in heaven.¹²

The other classic text is the one already mentioned earlier, Ephesians 4:25-27:

So then, putting away the lie, let all of us speak the truth to our neighbors, for we are members of one another. Be angry but do not sin! Do not let the sun go down on that which provokes you to anger, and do not make room for the devil.¹³

Truth-telling is an essential part of the work of reconciliation. Indeed, as Jesus says in John 8:23, “the truth will set you free.” But, in order to be an act of love, for truth to be life-giving and restoring, it must be —

- a) truth *about* (e.g., Jacob’s sin; the prodigal son’s treachery vis-à-vis his father; Peter’s repeated failings as narrated in the gospels)
- b) truth *for* (truth that there is mercy, grace, and the renewing power of the Holy Spirit to aid in making the turning full and complete).

As anyone who has worked in Restorative Justice knows well, getting to truth, and expressing truth is often extremely hard. Not surprisingly, it is the first item of armour in the famous text of Ephesians 6:10-20, in which truth is “wielded” against the forces of evil.¹⁴ The fact that truth is seen as not simply an abstraction of knowledge conforming to reality, but combat against the forces that intend to enslave humanity, is a solid indication of the difficulties of arriving at and practicing truthfulness. At the same time, it is critically important to insist that the truth is first and foremost always truth *for* offenders, as much as it is might be experienced as “wrath,” that is, judgment.¹⁵

Let me give a personal example. I recall the experience of singing in the Mennonite Festival Chorus’ performance of Benjamin Britten’s War Requiem in Toronto some years ago. Specifically, I will not forget the experience of the desperate plea for mercy in the *libera me*, with the sopranos shrieking their plea over the disintegrating cacophony of the orchestra. After practicing this all week, I had a distinct appreciation for

¹² See J. H. Yoder’s “Practicing the Rule of Christ,” in Nancey Murphy, Brad J. Kallenberg, and Mark Thiessen Nation, editors., *Virtues and Practices in the Christian Tradition: Christian Ethics after MacIntyre* (Harrisburg, PA: Trinity Press International, 1997). Also Lederach in *Journey*, 118-40.

¹³ For full treatment, see Yoder Neufeld, *Ephesians* on the text.

¹⁴ See Yoder Neufeld, *Ephesians*, 290-316, 353-59, and literature cited there by, among others, Dawn and Wink.

¹⁵ See, e.g., Christopher D. Marshall, *Beyond Retribution: A New Testament Vision for Justice, Crime, and Punishment* (Grand Rapids, MI/ Cambridge, U.K.: Eerdmans, 2001); Lee Griffith, *The War on Terrorism and the Terror of God* (Grand Rapids, MI/Cambridge, UK: Eerdmans, 2002); Miroslav Volf, *Exclusion and Embrace: A Theological Exploration of Identity, Otherness, and Reconciliation* (Nashville, TN: Abingdon, 1996).

the horrible sin that war is, one we are about to see committed yet again. It is right to have to beg for mercy in the face of such criminal behavior. To *assume* that there is grace to cover what we are about to do yet again is to trivialize grace to no less an extent that did the sale of indulgences during the time leading up to the Reformation. To assume grace is sufficient for sins we are about to commit yet again is to short-circuit the process of coming to know the truth that will set us free, to cut short the turning that lets us glimpse what we have done, the turning toward those we have sinned against, our enemies, even if of our own making.

But mercy or grace too is an essential part of the truth that needs to be discovered and told, even if “her” appearance at the restorative event is always, *by definition*, in the category of surprise (to recall John Paul Lederach’s wonderful “drama”). She tends to come a little late to the party, even if she was already in on the planning and can hardly wait to show up. She cannot arrive as mercy, or as grace, without justice having prepared the way, sometimes with a fearsome face.

I have left the discussion of justice itself to this point. My last comment about mercy and justice might mislead us into thinking that justice and mercy, righteousness and grace, are distinct, even opposites. There is some limited truth in that, if one reads the Bible with open eyes. There is the pleading for mercy on the part of those who fear the justice of God as judgment on their crimes. However, and this needs to be stressed strongly as lying at the very heart of the Restorative Justice movement—the justice of God comes to fullest expression in mercy, in grace, in the desire not to cut short the opportunity to try yet again to get it right, to do everything to bind up that which has been broken. Offender and victim alike are best served not by further violence against the perpetrator, but by binding up, by restoring. If mercy and grace do that, they become the ultimate expression of justice. Justice may be impartial, no respecter of persons, but she is not blind. Her gaze is restless, constantly on the lookout for what would make things right, for what would restore.

This insight lies at the heart of Torah, which is in the end nothing less than an attempt to educate a people to learn to “walk right,” a discipline of practice, the end result of which is to create a culture in which neighbour and stranger alike are loved like one loves oneself. This insight lies at the heart of Jesus’ reformulation of Torah in the Sermon on the Mount, where fidelity to others, including those with whom one is in conflict, constitutes the heart of fidelity to God’s will, where fidelity to spouse, one’s own and others’, is tested already by how one thinks of the other, where the neighbour and the stranger is expanded to include the enemy. This kind of enemy loving, reconciling and sometimes suffering justice, is nothing less than perfection itself (Matt 5:48). In short, the heart of the gospel is the peace which makes enemies one with each other and together a dwelling for God (Eph 2:11-22). As Paul puts it in the great peace manifesto called the Letter to the Romans, the center of the good news is that God’s justice has found its most powerful expression in grace.

21 But now, apart from law, the justice of God has been disclosed, and is attested by the law and the prophets, 22 the justice of God through the faithfulness of Jesus Christ for all who believe. For there is no distinction, 23 since all have sinned and fall short of the glory of God; 24 they are now justified by his grace as a gift, through the redemption that is in Christ Jesus, 25 whom God put forward as

a sacrifice of atonement by his blood, effective through faith. He did this to show his justice, because in his divine forbearance he had passed over the sins previously committed; 26 it was to prove at the present time that he himself is righteous and that he justifies the one who has faith in Jesus. Rom 3:21-26

To sum up this point, biblical justice is ingenuity to make just what has become unjust, and that includes special care for victims, and the evangelical invitation for offenders to find freedom in a truth that includes the promise of new beginnings and restored relationships, including with the victims of their own sin.

3. *Care for the community*

Crime does not happen in isolation, but like a fungus that grows underground affects the very fabric of the community or communities in which those live caught up in the even of a crime. That is why the Bible never views acts of injury in isolation, as offences against a particular rule or law, or even against the "state." Crimes are against God, and against the whole of the community, rending the fabric of community, and rendering the community as a whole more vulnerable to the consequences of sin. The process of restoring relationships is thus not only a matter of restoring the relationship between victim and offender, but also always a process of mending the fabric of community torn by the crime.

4. *Covenant and Shalom*

As Howard Zehr, Arthur Boers, and Millard Lind have indicated, the two concepts which provide a context within which what we have just been considering is covenant and shalom.¹⁶

Covenant speaks to the essential relational aspect of justice. Biblical justice cannot be understood outside a context of covenant, in which persons are related and obligated to each other, in which crimes are understood as violations of relationship rather than infractions of rules.

Shalom is a broader concept, meaning everything from a simple "OK" to the most profound condition of wholeness, encompassing individual, communal, physical, mental, spiritual health and wholeness.¹⁷ As has been repeatedly pointed out in the literature related to Restorative Justice, the root consonants of shalom (Shem, Lamed, Mem) can be "pointed" (vowel points placed under Hebrew consonants indicating how they should be pronounced) in a number of ways, thus bringing *shalom* into close relationship to *shillem*, which means requital, getting even. See here the work of H. H. Schmid, who derives the chief meaning of shalom from the notion of balance and equilibrium,¹⁸ where requital or

¹⁶ On covenant structure as presupposition to Restorative Justice, see Zehr, *Changing Lenses*, 126-57; Millard Lind, "Transformation of Justice: From Moses to Jesus" in *'crime is a peace issue'*, 3-22-46.

¹⁷ For a good introduction to shalom, see Perry Yoder's *Shalom*, 10-23, as well as Claus Westerman, "Peace (Shalom) in the Old Testament, in Perry Yoder and Willard M. Swartley, eds., *The Meaning of Peace: Biblical Studies* (Studies of Peace and Scripture [IMS]; Louisville, KY: Westminster/ John Knox, 1992), 16-48.

¹⁸ Hans Heinrich Schmid, *Šalom: „Frieden“ im Alten Orient und im Alten Testament* (SBS 51; Stuttgart: Verlag Katholisches Bibelwerk, 1971).

recompense is a matter of paying back the debt incurred through the violation or injury (e.g., eye for eye), thus restoring creation to its balance. The wisdom behind this notion is well attested in the Restorative Justice notion of restitution (or recompense).

But this idea of equilibrium and balance leads too easily into a quantified notion of crime and the solution to it. While we find a certain measure of such quantifying in the Bible (most especially for purposes of *limiting* the response to crime), it does not begin to catch the creative drive behind biblical reconciliation and restoration. This generative and restoring creativity is rooted not in some abstract sense of balance and equilibrium, but in the love of the creator for creation and for creatures.¹⁹ One of the most striking expressions of this can be found in the Wisdom of Solomon, a Jewish wisdom writing dating from roughly the time around the writing of the New Testament.

21 For it is always in your power to show great strength,
and who can withstand the might of your arm?
22 Because the whole world before you is like a speck that tips the scales,
and like a drop of morning dew that falls on the ground.
23 But *you are merciful to all, for you can do all things,*
and you overlook people's sins, so that they may repent.
24 *For you love all things that exist,*
and detest none of the things that you have made,
for you would not have made anything if you had hated it.
25 How would anything have endured if you had not willed it?
Or how would anything not called forth by you have been preserved?
26 *You spare all things, for they are yours, O Lord, you who love the living.*
Wisdom of Solomon 11:21-26 (*italics added*)

It is this love for creation, for creatures, which fires the urge to restoration—an urge that sometimes leads to shocking interventions like the Exodus, the reinvigoration of the dry bones in exile (Ezek 37), the coming of Jesus, or the emergence of communities of faith made up of erstwhile enemies (Eph 2:11-22)—acts of liberation or salvation, and at other times to infuriating patience (the risky withholding of judgment precisely so as to offer opportunity to change, to turn, to repent).²⁰ Eph 1:10 celebrates this as the revealing of the mystery of God, namely, to gather up all things in Christ, so that God might be all in all (Eph 4:6). The end point of this project of restoration is for God to find a home in restored and reconciled humanity.

4. Transposability

It is clear how deeply the vision and practice of justice within the Bible is rooted in the relationship of the people to each other as a covenant community, in which the prime

¹⁹ See Thomas R. Yoder Neufeld, "Power, Love, and Creation: The Mercy of the Divine Warrior in the Wisdom of Solomon," in Ted Grimsrud and Loren L. Johns, eds., *Peace and Justice Shall Embrace: Power and Theopolitics in the Bible* (Millard Lind Festschrift; Telford, PA: Pandora Press US, 1999), 174-91.

²⁰ See Thomas R. Yoder Neufeld, "Resistance and Nonresistance: the Two Legs of a Biblical Peace Stance," Schrag Lectures, Messiah College, April 9, 2002, in *Brethren in Christ History and Life* 25/2 (2002), 257-86 (forthcoming in *Conrad Grebel Review*).

covenantal relationship is with God. It is informed by Torah and Gospel, which expresses God's will for how human life should be lived, but is quite specifically "the way" of a particular people who embark on it with the confidence of God's accompaniment and vindication. The vulnerability of living such a life in a world of violence and injustice is apparent in the repeated anticipations of suffering and even persecution (Beatitudes), and in Jesus' and Paul's experience. The rootedness of such a life in God is implied also in the assurances of connectedness with Christ (John 14), and in the gift of the Holy Spirit in both enabling and assisting in the hard work of living messianically, redemptively, in a world that is not yet the Kingdom of God. In short, the practice of Restorative Justice as described in the Bible is the life of the people of God, the body of Christ.

Restorative Justice, however, is practiced outside the church even more than within it. The "principles" of Restorative Justice are quite deliberately offered in the public square as the better way to deal with crime. Such principles are therefore usually articulated in generic and not specifically religious terms, that is, in ways not tied to a set of biblical convictions or stories except perhaps as illustrations, and usually not inextricably tied to the biblical narrative of salvation. Does this matter? Is the biblical vision of restorative justice *transposable* to the wider society?

This question troubled some of the folks early on in the Restorative Justice "movement." Millard Lind, for example, needing to make the case for public engagement regarding justice issues for Mennonites more used to a very clear demarcation between church and world, argued that there is only one will of God for all of humanity, and that we have models in the prophets who addressed the wider world by the standards of Torah fidelity.²¹ The question of how one might apply biblical notions of justice to a wider society is still a question in Chris Marshall's very recent work.²²

Another version of this set of sensitivities is Howard Zehr's worrying about "subversion of visions," about the co-optability of the Restorative Justice movement.²³ He worries both that the church is less and less central to the Restorative Justice, and that Restorative Justice will thereby also come loose from its moorings, blunted in its vision and creativity by "routinization." Regardless of how widely that concern is shared within the Restorative Justice community, it is one that is implicit in the fact that the vision has emerged from within a radical tradition of peaceable discipleship but has found a hearing in the wider world.

Zehr has good reason to be concerned. In the process of "marketing" Restorative Justice many of the biblical ideas were rendered generic so as to be more widely intelligible and applicable. Sometimes this is referred to as moving from a "faith-based" to "value-based" orientation or vocabulary. Early in the ecumenical movement this was referred to as developing "middle axioms,"²⁴ where the teachings of the church could be distilled into general ideas and principles, what Marshall calls a kind of "ethical

²¹ Lind, "Transformation," 3-32: "The answer of the Bible [to the question of how a covenant based notion of justice is relevant to the wider world] is that God's justice is aggressive in relation to the unjust nations of this world." Lind cites two texts: Ps 82, and Micah 6:1-8. He might also have cited Wisdom 6 and 12.

²² Marshall, *Beyond Retribution*, 16-31. Marshall prefers to see bridgeable "gap" rather than an irreconcilable "chasm" between church and world.

²³ *Changing Lenses*, 232-36.

²⁴ See John Howard Yoder, *The Christian Witness to the State* (first published as IMS Study Series 3; Newton, KS: Faith and Life Press, 1964, republished by Herald Press in 2002); cf. Marshall's introductory discussion in *Beyond Retribution*, 29-30.

Esperanto,"²⁵ easily appreciated across not only church lines, but across the lines of church and the wider society.

There is, in my view, a serious problem with such a re-articulation or re-conceptualization of Restorative Justice. As Zehr and others worry, it has the capacity to blunt the vision, to sap Restorative Justice of its drive, to render it into a cost-saving diversion project. More seriously still, such an approach assumes that one can separate the principles and values from, in Chris Marshall's words, "the Christian story without loss to either and without substantially altering their meaning." Marshall insists that

it is the story which gives even commonsense values a distinctive flavor. Arguably it is the biblical narrative of God's creative love and redemptive justice made known in the life of Israel and in the person of Christ and the experience of his followers, [...], that represents the real Christian contribution to collective ethical discourse. For this story offers more than a code of morality. It reveals the character of God demonstrated in word, deed, and relationships; it mediates participation in the life of God; and it has the power to shape moral character in conformity to God, both individually and communally.²⁶

This is an important set of observations related to the issue of transposability. Implicit in Marshall's comments are questions like: What kind of a covenant does biblically oriented restorative justice presuppose, or even require? What is the horizon of the justice sought? How is it related to the restoration of the most critically important relationship the Bible knows, namely that with God, both individually and corporately?

Let me push the matter further. The biblical narrative is suffused with what I will call "rogue elements," that is to say, not easily controlled or domesticated initiatives, that are nevertheless essential to the story and its outcome. I have in mind such errant features as unearned grace, ingenious, inventive, and persistent love, suffering on behalf of one's tormenters, scandalous and "irresponsible" forgiveness of repeat offenders, justification by faith, to name only a few of the significant building blocks of the gospel, but all unruly parts of the story of biblical restorative justice. These elements are essential, but impossible to routinize and to make part of a system or set procedure. They are not only impossible to routinize, but one should not wish to try!

Grace, for example, cannot be made a part of "the system" without rendering it the permanent offer of impunity (see Rom 6). And who will tell Grace when to appear at the meeting, to use John Paul Lederach's wonderful metaphor? She has her own mind, and by definition she appears as a surprise. But she is an absolutely essential aspect of divine justice. As Paul reminds us, the justice of God finds its highest expression in running roughshod over the deep furrows of process and accountability, and, yes, blameworthiness, with the offer of grace. Notice the running of Esau toward Jacob, and the running of the Father toward his prodigal son. Notice the way the father ignores the self-criticism of his son—one that is of course key to his return. And recall again the way Paul states it in Rom 5:6, 8, 10: *while* we were still weak, hostile, sinners, Christ died for us.

Or what will we do with another rogue element, *forgiveness*? This question has

²⁵ Marshall, *Beyond Retribution*, 29.

²⁶ *Ibid.*, 30.

troubled me for some years. I recently asked it of one of the pioneers of Restorative Justice. The answer was illuminating: "I really don't do much with forgiveness." I understand the answer perfectly. After all, it makes good sense not to allow forgiveness to play havoc with proper procedure, most especially if such procedure is intended to get at truth, to respect the extent of victimization.

Forgiveness must indeed not be organized, routinized, let alone coerced. It is a "gift."²⁷ It needs to be "discovered."²⁸ Coerced forgiveness that circumvents truth, that binds the wounds of victims lightly, is not forgiveness so much as a miscarriage of restorative justice.²⁹ After all, the risk of forgiveness is one not lightly engaged in, and presupposes biblically the risk that can count on the potential of suffering (vulnerability).

And yet, having said all of that, forgiveness is most assuredly an inextricable part of the biblical narrative of justice.³⁰ Jesus practiced it, commanded it of his followers, and demanded it of his divine father on the cross—vis-à-vis his executioners! He had the audacity, when teaching his followers to pray, to make their forgiving the model for God's forgiveness of them (Matt 6:7-15). In short, the biblical narrative of Restorative Justice disintegrates if forgiveness is removed. Forgiveness is, in the end, nothing less than the offer of grace, the surprise of mercy, "good news" offered by the victim to the offender. As such it is and must always be inherently *outside* the "system" of justice, even if it emerges out of the centre of God's *just* "character." Such a character is learned in having the grace of God poured into our hearts (Rom 5:1-5); it is honed in the practice of forgiveness in the imitation of grace (Eph 4:31-5:2).

It would be the height of arrogance to say that grace and forgiveness are not practiced beyond the boundaries of the church; many of us have had the deeply humbling and, more importantly, inspiring experience of being taught by outside the boundaries of the church what we as church might well have forgotten. Having said that, however, the practice of forgiveness is one the church and its members have no alternative but to practice. Forgiveness is *commanded* much the way love of enemy is commanded. It is folly to think that one can build that into a system of Restorative Justice, as much as it needs to become embedded in the character of members and of the body of the church.³¹

True, Paul did not use the language of forgiveness much. He preferred the term *justification*. But what he meant by that was less a forensic declaration of innocence than a transformative intervention in the life of the offender enabling her or him to leave court capable, through the renewing power of the Holy Spirit, of doing the right thing (see Rom 8:1-4).

Such rogue elements, as crucial as they are to a biblical narration of restoring and reconciling justice, are not easily, if at all, expressed in the paradigm of Restorative Justice. As essential as they are to the gospel they are not reducible to general principles without having the lifeblood sucked out of them. They do not lend themselves, in other words, to the kind of "middle axioms" I spoke of earlier.

What then? Is there then an unbridgeable chasm between the church's

²⁷ Marshall, *Beyond Retribution*, 75; Volf, *Exclusion*, 119; Zehr, *Changing Lenses*, 46.

²⁸ Carolyn Schrock-Shenk and Lawrence Ressler, eds., *Making Peace with Conflict: Practical Skills for Conflict Transformation* (Scottsdale, PA/ Waterloo, ON: Herald, 1999), 164.

²⁹ Zehr, *Changing Lenses*, 45-47; cf. Volf, *Exclusion*, 119-25.

³⁰ Marshall argues that it is the "consummation of justice," *Beyond Retribution*, 255; cf. also 72-77.

³¹ See Thomas R. Yoder Neufeld, "Forgiveness and the Dangerous Few," Christian Council for Reconciliation, Montreal, 1983; appeared in *Seeds*, Winnipeg, 1985

understanding of justice and what we are practicing as Restorative Justice? Let me suggest that we should neither ignore the tension between a full rehearsal of biblical Restorative Justice and Restorative Justice as practiced in our various settings, nor be discouraged by the size of the gap.

5. Middle Axioms

Let me return to the “middle axioms” mentioned earlier. A half century ago, while the ashes of WWII were still smoldering, John Howard Yoder wrote his justly famous *The Christian Witness to the State*. It was written within the context of ecumenical discussions taking place in Europe (Pidoux, Switzerland) between Historic Peace Churches and mainline traditions. In as timely a fashion in our day as then, Yoder articulated what it means for the church to be the church, conscious of its calling to be both in Christ and in the world. He wished to respect both realities; that is to say, to vouchsafe for the church a clear sense of its own character and mission, confessing the lordship or reign of Christ over the society as a whole, including the state, and at the same time not to confuse it as already redeemed or conformed to God’s will. That is to say, the mandate of the body of Christ is to participate in the reign of Christ in the world—but it is a world that is not yet the Kingdom of the God, to borrow the language of Paul in 1 Cor 15. The mandate of the church is to push society as far as it will allow itself to be pushed, without forgetting that society/state is not the church. To mistake that, or to downplay the vastly different assumptions one brings to these communities—the one in covenant with God, the other not, but under the lordship and sovereignty of Christ³²—is to run the risk of expecting what should not be expected (of society), and not expecting what must be expected (of the church).

In the process of articulating this position, Yoder recast the meaning of “middle axioms” into what he called “rules of thumb to make meaningful the impact of Christian social thought,” and not metaphysically grounded principles.³³ In his view they “mediate between the norms of faith and the situation conditioned by unbelief.”³⁴ Yoder wanted to take seriously that the state or society is not the church, and is not expecting it to be, but to push it as far as it was willing to be pushed at places and at times where society’s or the state’s own putative values afford opportunity to do so. Yoder’s refused to determine ahead of time, on either theological or ideological grounds, what is possible, that is, how far society might be pushed. He was interested not in articulating an ideology (of, for example, of what constitutes justice), but in participating in the kingdom of Christ over a still rebellious creation. What is absolutely critical is for the church to know the gospel, to be committed to living it out in church and world, and at the same time realistic about where and how that might be possible.

The intersection between church and society is thus by definition a restless place. Yoder did not wish to give the state any autonomy that would have set up an ethic in

³² For Yoder, “kingdom of Christ” refers not to Christ’s lordship over the church, but of Christ’s lordship over the still rebellious world (*Christian Witness*, 8-10). He relies on 1 Cor 15:24, 25, where Christ’s kingdom or rule is marked by struggle against the forces of evil and death. When they are overcome, then Christ will hand over the kingdom to God.

³³ *Christian Witness*, 33.

³⁴ *Ibid.*, 33, note 3.

which Restorative Justice in its full biblical sense was not relevant. This is a permanently restless place, as anyone knows who has ever been caught in the middle of an intersection.

When he first wrote *The Christian Witness to the State*, John Yoder addressed Mennonites who needed to be called into the public square marked by conflict and violence, but just as much fellow Christians in the wider church who needed to be called back to fidelity to their confession that Jesus and not Caesar is Lord. Mennonites needed to be called *into* the world, and many of Yoder's other conversation partners needed to be reminded *not* to be *of* it.

Today Mennonites, including practitioners of Restorative Justice, are more likely *in the world*; we are active in the public square, or, to be more specific, in and at the edges of the criminal justice system. We live in the traffic, as it were, negotiating the busy intersection all the time. We can thank persons like Yoder for having prodded us to step out into the traffic. Instead of "conscientious objection" Yoder called this "conscientious participation."³⁵ But to be in that place is not without its serious challenges.

Perhaps most critical is to *remember*: to remember the story; to remember Jesus; to remember the body.³⁶ Why? Because then we will know who we are as we lose ourselves in the conflicts and hurts of society, where we come from (our home base in the church), why we are "pushing" our society, from where we are pushing, in which direction we are pushing. In short we will remember which side of the intersection is home. There is no short cut to such remembering other than to return to the biblical narrative in all its surprising richness, its puzzling discontinuities, its radical assertions of the reign of Christ, and its proclamation of hope residing in a loving creator, and vouchsafed in the death and resurrection of his Christ.

I had a palpable experience of the rewards of such remembering in reading John Paul Lederach's *The Journey Toward Reconciliation*. The remarkable interaction between experience and biblical story is exhilarating to observe, e.g., when he rediscovers the well-worn John 3:16 within the context of the dangerous work of mediating a conflict in Nicaragua, not as a "formula for salvation," but as a "foundational principle of reconciliation," the "willingness to make the ultimate sacrifice on behalf of an enemy." What saves this from becoming simply a principle of moral heroism is his immediately following comment: "It is an ethic undergirded by and made possible only through the immeasurable love and grace of God."³⁷ To know about that grace, and to know it personally, is critical for justice to remain restorative in the full biblical sense.

³⁵ Ibid., 20. In posthumously published notes, Yoder applies his *Leitmotif*, Jeremiah's famous challenge to the exiles in Babylon to "seek the shalom of the city" (Jer 29), to articulating what the church knows in language those who are not of and in the church can understand: "If we really 'seek the peace of the city,' why should we fear that by saying our message in Babylonian we would have to destroy its meaning? Why should we not be able to translate? I agree that my primary frame of reference is the people of God, but it does not follow that I have no concern for civil society. That concern is derivative, but it is real. I'd rather have [a civil society] where potholes get fixed than one where they don't." Thomas L. Shaffer, *Moral Memoranda from John Howard Yoder: Conversations on Law, Ethics and the Church between a Mennonite Theologian and a Hoosier Lawyer* (Eugene, OR: Wipf and Stock, 2002), 19.

³⁶ See, most recently, Allen Verhey's *Remembering Jesus: Christian Community, Scripture, and the Moral Life*, Eerdmans, 2002.

³⁷ Lederach, *Journey*, 40.

“Remembering” thus becomes “reconnecting,” putting together again what might have come apart.

Perhaps in our day we need increasingly to speak of *reacquainting*. Such remembering and reacquainting is critical if Restorative Justice is not to degenerate into the equivalent of “four spiritual laws.” Only with such remembering and revisiting “this side” of the intersection for purposes of orientation and renewal of vision and energy, will Restorative Justice be kept from falling victim to institutionalization and routinization on the other side of the intersection.

Such remembering will thus instill a holy restlessness to push the envelope. Dave Worth, one of the earliest pioneers of what has become Restorative Justice, once said to me in his rather typical clipped irreverent way, in observing what happened with VORP: well, been there, done that, what’s next? Such restlessness is engendered not by the shiftlessness of pioneers but by the gospel itself. Such willingness to experiment and then give it away is entirely in keeping with what John Yoder meant when he spoke about the church injecting itself into the life of society with initiatives born of the gospel. If the church “understands its ministry as one of constant inventive vision for the good of the larger society, she will rejoice at the evidence that her witness at a given point has been grasped and will move on to new realms where her creativity is more urgently needed.”³⁸

Howard Zehr likens VORP to an “experimental plot.”³⁹ Such plots are now found all over the world, often with continuing involvement of the church. “That is at it should be. VORP embodies a vision of justice that is inherently biblical and thus provides an arena where the church can implement its vision.”⁴⁰ But it will be so only if the practitioners remember who they are, where they come from, and where their vision is rooted and nourished. As Zehr puts it, VORP “desperately needs the church if it is to survive in a form that matters. If VORP is to survive as a catalyst for change, the church must remain involved.”⁴¹

We might well ask what Zehr means by “matters.” I think he is suggesting that such self-conscious location of Restorative Justice “in the middle” of the intersection of church and world, not directing traffic so much as at least trying to affect its flow, while caring for those injured in the accidents on the road, cannot help but have an effect on the paradigm of Restorative Justice. It will permanently destabilize the institutionalization and routinization of Restorative Justice itself.

One can sense in Zehr’s comments a real concern that the church remain present in Restorative Justice efforts. As stated earlier, he worries that if it does not then Restorative Justice will succumb to routinization, institutionalization, and cooptation.

Let me add a worry. To forget from where we entered the intersection, to no longer know which side is home, will also have the effect of impoverishing the church. Much of what I have said has had to do with the fact that much of Restorative Justice work happens “out there,” beyond the community of faith. But, just as truly, a great deal

³⁸ Yoder, *Christian Witness*, 20.

³⁹ Zehr, *Changing Lenses*, 173, borrowing the term from Clarence Jordan and John Howard Yoder. Yoder views the church as “a demonstration of what love means in social relations,” *Christian Witness*, 17. Whereas it is not directly transposable, since it is premised on repentance and faith, the church nevertheless is called on to create “experimentally new ways of meeting social needs which, once their utility has been proved, can be institutionalized and generalized under the authority of the secular powers.” *Ibid.*, 19.

⁴⁰ *Ibid.*

⁴¹ *Ibid.*, 174.

of the work of Restorative Justice takes place within the context of the church community itself. Indeed, some of the hardest and most challenging instances of working toward Restorative Justice take place *within* the church. One important arena has been sexual abuse within the church, an issue that has cut very close to home.

As the work of Carolyn Holderen Haggren, Melissa Miller, and Carol Penner has shown, the church has been itself evangelized by what has been learned about Restorative Justice in the intersection. But for such evangelization to take place, memory needs to be nurtured, needs to be in tact, so that truth-telling becomes not only exposing, but exposing in order to turn what is broken and despoiled into something new (see my comments earlier re Eph 5:14).

However, unless such evangelizing of the church grows out of a thick memory of the faith and the Scriptures, there is the danger that the church will itself forget what is the gospel, replacing the rich witness of Scripture with an ideology, however peaceable, that has come detached from the work of God in the history of Israel and through Christ.⁴² In the process the church forgets that the justice we can achieve is always only “approximate justice” (for two reasons: the world is not the church; the Kingdom of God is not yet here in full), that whatever justice we are able to create is restorative only always partially. In other words, it falls into the danger of mistaking the intersection for a highway. If that happens, we land up at the end of our mission depleted of the very gift we had to offer.

For the sake of the practitioners of Restorative Justice, for the sake of the church, and, most importantly, for the sake of God’s project of reclaiming the human community, of restoring God’s “face” (Jacob and Esau; Gen 33), we must not allow Restorative Justice to come disconnected from, or to define and thus in effect replace the gospel. Not only will we suffer amnesia, we will have reduced divine creativity to a saleable, co-optable diversion project, cut off from the vision-nurturing wellspring of justice informed by the power of mercy and grace, and the renewing power of truth. And we will have deprived the church of having its own understanding of the gospel deepened, its passion rekindled, as it does by all of its missional initiatives.

Conclusion

I am reminded of Chris Marshall’s words in referring to Amos 5:24. “The most common image for justice in the West is a set of scales, symbolizing the balancing of rights and obligations or deeds and deserts. The prophetic symbol of justice is a mighty, surging river (Amos 5:24).” I have a sense that this river has been flowing with increasing speed, and that sometimes we have been swept along without always having firm ground under our feet, perhaps even sometimes flailing about for a life line, sometimes not seeing the edges. That makes it no less the river of God.

⁴² Ibid., 36: “The validity of our witness to society, including the critical address to the state and the statesman, hangs on the firmness with which the church keeps her central message at the center: her call to every man to turn to God and her call to those who have turned to God to live in love. If she fails to keep this call to personal commitment at the center of her life and work, her prophetic witness to society is either utopianism or demagoguery.”