



9

forgiveness

forgiveness, reconciliation and justice
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introducing the series

This paper is the ninth in a series of 15 papers to be produced over a two year period as part of the *Embodying Forgiveness* project run by the Centre for Contemporary Christianity in Ireland (CCCI). Drawing on a broad range of contributors, from a broad range of backgrounds, the papers aim to explore the meaning of forgiveness in the Bible and in different Christian traditions, and to ask about the implications of the practice of forgiveness for our society. It is worth saying at the outset that we have not insisted on a particular definition or understanding of forgiveness among those who will be contributing to the series. Rather, our hope is that through this series of papers we will come to a fuller and more authentic understanding of forgiveness and its implications for church and society.

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part one: forgiveness and reconciliation¹

forgiveness and reconciliation: public life and public theology

Forgiveness and reconciliation have come prominently to the fore in politics and international relations. We are as likely to hear the discourse of forgiveness from politicians as from faith-leaders. Forgiveness has played an important part politically in the Truth and Reconciliation Commission in South Africa and other post-conflict situations.² Despite this increased secular appropriation, the theological reach of these terms is frequently recognised as significant to cause or cure, in contexts of cultural division. The TRC relied heavily on 'religious' protagonists. Its sessions opened with prayer, and religious faith featured strongly. Hannah Arendt proposed Jesus as the "discoverer of the role of forgiveness in the realm of human affairs," observing that the religious context and language of this discovery do not take from its "strictly secular" relevance.³

So, 'forgiveness' and 'reconciliation' can be used within secular discourse, although historically they have been pervaded by religious experience and meaning. The main discourse of forgiveness has been theologically structured.⁴ Although theology cannot exclusively claim the rhetoric of forgiveness and reconciliation, we cannot understand their provenance, substance and history of effects, while bracketing out this field of reference. Such themes as sin, suffering, punishment, forgiveness, justice and reconciliation have been the stuff of classical and biblical literature since ancient times.

The Church has recently strengthened its consciousness of social sin, and of the need for a matching understanding of forgiveness and reconciliation that includes a sharpened sense of the social dimensions of grace and justification, and a retrieval of the socio-political implications of such biblical symbol structures as 'covenant' and 'reign of God.' This has challenged Christians to a more intentional practice of socio-political virtues as the necessary transfiguration of an earlier privatised consciousness of sin and conversion. Protestantism is known for an understanding of sin and forgiveness focussed on individual conscience and unmediated personal responsibility. Within Catholicism the central conception of sin and forgiveness has been influenced by the ancient Irish penitential tradition of hard penance as expiation of hidden sins. Generally speaking, churches have revisited prevailing traditions of justice, concerned to move beyond forensic and retributive approaches to wrongdoing towards a systemic understanding of sin and with stress on restoration and renewed relationship – themes to be explored in part two of the paper.

Besides providing believers with an internal narrative, theology must also be able to communicate in ways comprehensible to those not persuaded of its narrative. There is an intrinsic theological necessity for keeping such terms as 'forgiveness' and 'reconciliation' anchored between the religious and the secular spheres. This derives from the nature of biblical revelation itself, regarding the interrelationship between God, humanity and the world. The Judaeo-Christian tradition portrays a constant interplay between broad theological anthropology, and a specific salvation narrative with its 'salvation history' emphasis.

The unity of God's creative and saving purposes must be upheld in Christian theology. However marred by human sin, we expect to find reflected in the human heart – and in social interaction and the cosmos – some image of God's creative, saving life. In scripture we find dramas of fidelity and treachery (e.g. Cain and Abel). We see protagonists in whom goodness and betrayal co-exist (e.g. Hagar, King David). In the prophetic

literature we note humankind's capacity for making and breaking covenant promises, in response to God's gracious offer, alongside language of divine retribution, forgiveness, and reconciliation through covenant renewal. In the New Testament, the world is presented as the arena of grace (John 3:16), but also the place where grace is rejected (John 1:11). If we truly recognise the world as God's creation, we cannot designate it as beyond the realm of grace. The world of politics and public life falls within God's reconciling purpose.

forgiveness and reconciliation: meanings and ambiguities

Forgiveness derives from the Old English *for-giefan* – to give away; or, to pardon, overlook, give up, or to show mercy or compassion. A relational context is implied – with overtones of prior hurt (or sin) as having damaged relationships. Another Christian aspect discernible here is that forgiveness is construed as a gift free and full, beyond desert, operating as an alternative to revenge. We shall see later how this is problematic for a retributive approach to justice. Furthermore, forgiveness involves a giving away of oneself to another in self-transcending action, and this is likely to create a superlative impact on the recipient. Also, forgiveness implies a mutual orientation and reorientation.

There are some theological implications. Forgiveness finds its point of reference within the theology of salvation. Gabriel Daly warns against the tendency to make 'forgiveness' synonymous with reconciliation and atonement. Forgiveness is more specific, while, "Reconciliation" is arguably the most generic term in the vocabulary of soteriology.⁵ So, the scope of Christian reconciliation is larger than forgiveness, while forgiveness is reconciliation's most personally significant centre-point, turning upon the experience of liberating grace.

paradox in practice: forgiveness as gift and call to reconciliation

Reconciliation is the larger soteriological model within which forgiveness operates and is experienced as transforming event. Both are the initiative of saving grace. However, forgiveness is not a mere staging-post on the way to reconciliation. One way to clarify the connection between forgiveness and reconciliation is by reference to the vexed relationship between forgiveness and repentance. We must hold a paradoxical position here: first that repentance is not a precondition for forgiveness.⁶ To make repentance a precondition is to fence grace and argue against the fundamental of God's transcending freedom, the universality of Christ's saving love, and the sanctifying power of the Holy Spirit within the Christian community. To so insist is to adhere to a legal rather than a relational approach to the forgiveness of sin, and undermine the dynamic interconnections between the forgiveness and the open salvific process of reconciliation.

What *can*, however, be argued is that repentance is necessary if we are to live into the abundance of God's forgiveness. Forgiveness implies not simply a turning from sin, but a turning towards relationship with God and God's creation. Because it is pre-eminently a graced personal encounter, this forgiveness implies a conversion to God and a conversion to community. While forgiveness does not require prior repentance, in its defining moment of graced encounter comes the invitation to a reconciled life in community. This is not so much a condition as a further gift – leading to restored relationship. For God knows our human frailty and need for community. Thus through relationship in community, alienation meets hospitality, compassion heals the wounds and the creation of a new context sustains responsibility and partnership with God in the transforming work of reconciliation.

Paul is one case in point where, according to Acts 9, repentance and moral regeneration follow upon the grace of a new beginning. When Paul encounters Christ and knows his sins are forgiven, he does not experience reconciliation all at once. The event is part of a fuller sequence, embracing the broader Christian community: Ananias is told to take Paul into his house; Paul's immediate experience is portrayed as being struck down, blinded and forgiven. Then that experience is consolidated, when Ananias welcomes Paul into the community. Reconciliation is thus the larger context of forgiveness. Paul's mission of reconciliation finds its radical starting point here, but the Damascus forgiveness opens into a fuller reality with Christological, soteriological and cosmic implications, yet to unfold in the drama of Paul's relationship with Christ and his Church.

keeping both sides in view: theology's need for bi-focal vision

Speaking of soteriology, Daly notes that a certain legal model, informed by court-room metaphors, has dominated Western theology.⁷ This legal model has also dominated Christian approaches to justice. But he notes another tradition, arising from the Eastern Fathers, within a relational model, with metaphors linked to the sick-room – informing a view of sin and salvation associated with healing, cleansing and restoring to wholeness. This restoration emphasis is becoming prominent in Christian approaches to justice.

The Orthodox theologian, Stanley Harakas, also asserts these contrasts – sin as disobedience to the law *and* as failure in right relationship.⁸ He notes the imbalance in the Western preference for a legal way of understanding sin and salvation, with tendencies now to overcompensate with an opposite stress on liberalisation and autonomy, and he urges an integrated approach. Creation theology must hold together both the divinely ordained order and God's forgiving concern. In soteriology, a dynamic interaction between each pole is necessary to the fullness of truth.⁹ One-sidedness is dangerous:

The exclusive emphasis on the second pole is Pelagianism. The exclusive emphasis on the first is a purely forensic understanding of redemption. When applied to the question of repentance and forgiveness, the necessity of grace on the one hand and the requirement of growth implying frequent failure and reorientation on the other find many interesting applications.¹⁰

Harakas recognises the respective value and the liability to distortion of both. He asserts the necessity of holding this “grace-growth” paradox, underlining the totality of Christ's forgiveness and creaturely reliance on grace, but also the sanctifying power of the Holy Spirit who blows freely, making forgiveness available within the ecclesial *koinonia*. He adduces ancient church practice of repentance expressed through prayer, fasting and almsgiving, which were held as “effective means of forgiveness of sins.” Subsequent deformation through extreme ascetical actions (implying that salvation could be earned), or through corrupt commerce in indulgences (suggesting that salvation could be traded), emerged when the understanding of salvation became depersonalised and divorced from compassion. Any dislocation of forgiveness from lived reconciliation in community wrenches it from its grace-bearing context and occludes its divine source.

In Jesus' own teaching, our forgiveness by God is implicated in our extending forgiveness to others (Matthew 6:12). We are to forgive as God forgives. Jesus, in calling people to repent and accept forgiveness, invited them to become part of a community of reconciliation (Matthew 6:9-15). While Jesus' offer of forgiveness was unconditional, it implied a

movement into transformed life within the *basilea* – relationships of truth, justice and love. To the man known as the “good thief,” Jesus promises union with him in paradise. Forgiveness opens the way to communion, embracing both sinned against and sinner, as betokened in the open, eschatological banquet (Matthew 22:10) where injustices are set aright and moral opposites reconciled.

The more impossible forgiveness seems the more necessary it is, for without it people become trapped in retaliation: “Without being forgiven, released from the consequences of what we have done, we would remain the victims of its consequences forever.”¹¹ The reciprocity is ineluctable. Forgiveness cannot be forced. It is not cheap, both costing and free.

forgiveness - giving ourselves over to the impossible

The rights and wrongs of the release of paramilitary/political prisoners under the Belfast Agreement were hotly debated. Some victims accepted this as a necessity of a greater good, for peace and for future generations. Others seemed caught in a cycle of suffering that would keep themselves and the perpetrators endlessly bound: “Why should they go free when there is no release for us? Why is it we who are condemned to carry the life-sentence?” For those unable to forgive, it seemed that relationship with the perpetrator could not yet be countenanced, and that there was also a need not to forget the victims. We must recognise that forgiveness is a process of remembering and letting go, and a participation in God’s transcendent power.¹²

There is a sense of near-impossibility in forgiveness. Without guarantees of repentance, how can a person transcend the instinct for vengeance and natural justice? And yet, there is a desperate irony in the reality that despite the unrelenting pressure towards exact retribution, it is only forgiveness in its very unconditionality, in its undeserved, unpredictable grace that can break the cycle and bring release:

*In this respect, forgiveness is the exact opposite of vengeance, which acts in the form of re-acting against an original trespassing, whereby far from putting an end to the consequences of the first misdeed, everybody remains bound to the process, permitting the chain reaction contained in every action to take its unhindered course. In contrast to revenge. . . the act of forgiving can never be predicted. . . Forgiving, in other words, is the only reaction which does not merely re-act, but acts anew and unexpectedly, unconditioned by the act which provoked it and therefore freeing from its consequences both the one who forgives and the one who is forgiven.*¹³

Forgiveness implies that human beings are a part of one another. Even when relations fracture, forgiveness offers the possibility of reconciliation – an acknowledgement of wrongs committed and of the shouldering together of responsibilities for change.

Within the great arc of God’s work of reconciliation in Christ, forgiveness goes to the heart of the Church’s confession and teaching. However, what is also clear from Christian history and practice is that the refusal of forgiveness has been argued with biblical and theological appeal to divine truth and justice, as if these are prior to or even opposed to God’s mercy. Such argument misses the point that God’s justice is relational in origin and intent, even when it involves retribution. Without this recognition, we divide God’s being, question the scope of God’s reconciling the world through Christ and introduce a scandalous disjunction between the life and teaching of Jesus Christ and the witness of the church.

the way of christian reconciliation

For Dietrich Bonhoeffer, forgiveness, justice and reconciliation are integrally related. He knew the necessity of standing in the gap between the possible impossibility of the Christian way and the historical realism that influences the ways of nations. Bearing the pain of history, his words are weighted with eschatological reserve:

For the church and for the individual believer there can only be a complete breach with guilt and a new beginning which is granted through the forgiveness of sin, but in the historical life of nations, there can always be only the gradual process of healing. . . It is recognized that what is past cannot be restored by any human might, and that the wheel of history cannot be turned back. Not all the wounds inflicted can be healed, but what matters is that there shall be no more wounds . . . This forgiveness within history can come only when the wound of guilt is healed, when violence has become justice, lawlessness has become order, and war has become peace.¹⁴

What is impossible in human terms becomes possible when we are in communion with the forgiving God whose will is for the whole creation to be made one in Christ. But while struggling to accept this amazing truth, we must also register that the experience for many is of continuing terror and estrangement. Reconciliation is not a fast, one-sided solution. It takes co-operation, patience, pacing and participation. Reconciliation cannot be a matter of “now, and on my terms.” Those in positions of Christian leadership need to be vigilant and give the necessary encouragement to transcend alienation and partisanship with words that announce reconciliation as a gospel challenge.

The term *katallassein* (reconciliation) occurs thirteen times in the Pauline/Deutero-Pauline corpus, and is typically linked to the forgiveness of sins. Paul’s sweeping soteriological framework is both gracious liberation and dynamically relational.¹⁵ The human context is of estrangement and sin. Reconciliation comes as a movement in which Christ is the central agent of overcoming sin by forgiveness, thus opening the way to a community of love. Forgiveness, within the broader context of reconciliation, originates in God. The nearest human analogy is that the starting point of forgiveness is with the one wronged, not with the perpetrator. Just as for the sinner hope comes in the midst of sin, in God’s offer of forgiveness and reconciliation through Christ and in Christ, so too those who would continue to live this ministry of reconciliation are called to overcome evil with good, according to Christ’s injunction to forgive without limit, as part of Christ’s saving work, overcoming the enmity between Jew and Greek, male and female, slave and free. This is not done in unengaged stand-off but by living into the fullness of the given grace of the atonement (at-one-ment) in our day to day relationships across dividing lines.

In the film *The Mission* there is a scene in which a 16th century Conquistador undertakes an arduous atoning journey, seeking forgiveness from the Guarani Indians he had horribly oppressed. He drags his armour and heavy sword for long miles over rough terrain. Bowed down by the armour and sword roped around his neck, he reminds us of Jesus bearing his cross. Eventually, exhausted, he arrives before the Indians, searching their inscrutable faces for a hint of forgiveness. Finally, one Indian approaches. Deliberately, he brings a knife to his throat, and in an amazing movement, cuts the rope. As the Indian relinquishes the expected act of vengeance, armour and sword are sent plunging down the precipice. Oppressed and oppressor are set free. The cycle of violence is interrupted. Restoration can begin; retribution is denied.

Here, now, the oppressed have a right to seek justice. They can also decide for a justice based on non-violence and the possibility of reconciliation and restoration. The words of Jesus, “Love your enemies; do good to those who hate you,” invite us, here, now to make the journey into reconciliation and towards restored relationship. Is there a concept of justice that can travel with us on the road to reconciliation?

part two: forgiveness and justice

In this section of the paper there will be some exploration into how forgiveness relates to justice. The first consideration is whether justice and forgiveness are generally compatible. Secondly, the nature of retributive and restorative approaches to justice will be investigated with regards to their compatibility with forgiveness. This then opens the way for biblical and theological reflections.

does forgiveness deny justice?

Forgiveness, properly understood, does not deny justice. Since forgiveness is not simply the excusing of wrongdoing and does not require the tolerance or non-resistance of evil, it certainly does not entail the denial of justice. Forgiveness actually presupposes and exposes wrongdoing, and there cannot be any talk of forgiveness without emphasising the crime and its heinous nature, so as to show what is to be forgiven. Forgiveness challenges wrongful actions, seeking to face up to and overcome the evil – not ignoring it or treating it as if it did not matter when it clearly did.

Justice is primarily operative in the impersonal sphere as part of the social glue that binds a society. Forgiveness is primarily operative in the personal/relational sphere. Justice typically deals with the legal side of wrongdoing, forgiveness with the moral and relational side of wrongdoing. Most Western systems of justice, however, could be criticised for not giving enough attention to the relational aspects of crime, although no justice system could ever ‘do’ or prescribe forgiveness. Forgiveness by its nature is a personal and voluntary decision to take a certain path in regards to a certain relationship. It cannot have legal enforcement. However, it is erroneous to think that justice and forgiveness cannot or do not complement each other. Much depends on how we conceive justice.

criminal punishment and forgiveness

The relationship between justice and forgiveness is most pertinent in the context of criminal punishment, for it is a crime, or wrongdoing, which is forgiven. Criminal punishment will therefore provide a focus point. Two theories dominate Christian discussion on justice and punishment: retribution theory and restoration theory.

retribution

There are four central elements to retribution theory. (1) Guilt – criminals are morally responsible agents who break the law. (2) Desert – punishment is deserved by virtue of the crime. Here we have the concept of a crime simply crying out for or demanding punishment for its own sake. Punishment is viewed simply as an end in itself; something that is intrinsically good, requiring no external justification. (3) Proportionality or equality – punishments should ‘fit’ crimes. This includes the idea of seeking to balance an injustice by some proportionate action, summed up in the biblical injunction of “an eye for an eye.” (4) Denunciation – punishments communicate what society thinks of certain actions.

Retributivism rightly recognises the criminal as an individual person with

moral responsibility and choice. It also targets only those who are guilty and better protects the innocent, unlike deterrence theories of punishment. Ideally the notion of the punishment fitting the crime should also protect the criminal from extremely harsh treatment.

However, retributivism is not obviously congruent with forgiveness and reconciliation as expounded earlier. When the retributive idea seeps through to the personal level, establishing a legalistic approach to relationships, it can hinder reconciliation. Forgiveness, however, is a free gift, an alternative to revenge and an initiative of liberating grace. Retributivism gives people their dues, and amounts to a form of revenge; forgiveness moves creatively beyond this, denying revenge and giving birth to reconciliation and the possibility of restored relationships. Forgiveness is unconditional and unpredictable, retributivism predictable and conditional. Retributivism operates on the principle of desert; forgiveness is beyond desert. The principle of desert rules forgiveness out. It gives rise to a belief that the guilty do not deserve to be forgiven. If we are not inclined to think that the criminal deserves anything other than punishment, then we are not inclined to practice anything other than punishment of the criminal, certainly not forgiveness.

The notion of punishment being equal to crime is also problematic. Punishing the criminal is considered as righting some imbalance, and only a punishment that is equal to the crime will restore the balance. Forgiving the criminal can be viewed as tilting the balance further towards the criminal instead. Of course, talking of equal punishment (or of proportional and fitting punishment) implies that the idea that there *is* an equal punishment for any given crime is even coherent. What, for instance, is the equal punishment for rape? Moreover, why is a crime wrong and a punishment right if they amount to the same thing?

We must also treat the language of guilt and innocence with some care, resisting the temptation to divide humankind into guilty offenders and innocent victims. In theological terms, it is not quite accurate to speak of a neat dichotomy between guilt and innocence or between guilty offenders and innocent victims. When we look more closely at human society, we find a blur between guilt and innocence – there is much hidden guilt, ranging from hatred, lack of honesty, brutality in varying degrees, minor theft and so on. Within us all, guilt and innocence co-exist. In overlooking this, retributivism can lead to self-righteousness. Self-righteousness in turn is a hindrance to forgiveness – either in terms of admitting one's own faults and subsequent need for forgiveness, or in terms of failure to offer that forgiveness to someone else, deemed unworthy of it.

In practice, retribution theory can lead to excessively punitive punishment. Such punitive justice metes out harsh punishment with little concern to engage in a process of trying to correct or change the offender. It is also inconsiderate of the betterment of society as a whole, by failing to address situations in society – cultural and psychological factors – that led to the crime. Worse still it does nothing for the injured party. Surely a flipside of punishment for an offender is help for the victim. This is too often ignored when our penal focus narrows to mere punitive retribution that is motivated by a deep-seated desire for revenge. Excessively punitive punishment and desires for revenge are at odds with forgiveness and reconciliation.

Moreover, retributive ideas run the risk of having people take the law into their own hands. We might think the criminal did not get a punishment to fit his or her crime. This in turn might cause us to believe that, since there is still an imbalance, we are right in taking further action against the perpetrator of the crime. We may seek to repay the perpetrator in kind.

This contrasts with forgiveness. Forgiveness seeks to go beyond repaying in kind or getting even. Forgiveness does not seek to ease hurts by inflicting suffering that is deemed 'equal.' In refusing forgiveness and adopting the payback rationale, those who are wronged become wrongdoers themselves. The behaviour of the perpetrator is copied. Whole communities can get tangled in a cycle of violence and counter-violence. The issue of who struck first soon becomes moot, and forgiveness is ignored altogether. This payback rationale is very deceptive. It looks as though it will bring satisfaction to the victim and ease the hurts. But it fails.

So, retributivism, and more so the extreme attitudes and practices it can lead to, is not obviously consistent with forgiveness. Desire for retribution often cloaks a hidden desire for revenge that is not quelled when a sentence has been served. It does not lead to a sense of wholeness or rightness in terms of either the victim or society who do not really benefit, but instead are pushed to the background, along with the values of forgiveness and reconciliation.

restoration

Due to the problems inherent in retributivism, a restorative view of justice has recently increased in prominence. Restorative justice involves the painful and messy task of healing divisions and restoring relationships severed by the hand of crime. The major focus is on rehabilitating victims (when it is possible) and society as a whole, rather than on the punishment of the offender, even though punishment is often involved. This view stresses that, while victims have a right to anger, a vindictive mindset helps nobody, least of all the victim. Such a mindset creates bitterness, tormenting and holding victims captive to the past, leading to a diminished quality of life. Unforgiveness might seem justified. However, it can create more victims.

A restorative approach to justice certainly seems more compatible with forgiveness and reconciliation. For the Christian, the crunch question is how to maintain this view of justice alongside the corpus of biblical literature. Marshall argues, "in biblical usage "justice" goes beyond the legal sphere to evoke the idea of comprehensive well-being, wholeness and peace."¹⁶ Is he right?

the retributive god who restores

Many Christians consider retributivism as fitting best with Christian belief. Unfortunately many of these Christians imply a dichotomy between Old Testament and New, and adopt a naïve proof-texting approach to biblical justice. Those Christians who wish to adopt a retributive approach to justice will frequently quote Old Testament texts to support their rationale. These Christians will claim that the Old Testament is obviously retributive. It is certainly true that the main components of retribution are all present in the Old Testament. However, the same can be said of the New Testament – the Book of Revelation abounds with the theme of retribution on a par with any Old Testament book. In the Bible, both Old Testament and New Testament, retribution is most poignant when God's wrath is portrayed as completely destroying a guilty party, when God punishes those with whom he is displeased. Whilst acknowledging this, we cannot, however, infer from the presence of retributive themes that scripture promotes a complete and coherent retributivist theory – and certainly not in the Western sense.

With a similar selective reading and proof-texting approach to scripture, some other Christians see the concept of restorative justice as fitting best with Christian belief. This time the proof-texts normally come from the

New Testament. Of course there are indeed themes of restoration present here. We noted this earlier in relation to Paul. He received unconditional forgiveness and grace, which later birthed repentance and moral regeneration. He was eventually welcomed into the Christian community he had once persecuted, from which the process of reconciliation and restoration began and would unfold over time in his personal and communal life. His whole subsequent soteriology is focused on gracious liberation and is dynamically relational, as noted earlier. We also noted earlier how Jesus calls us to live a life of forgiveness, leading to a community of reconciliation in which restoration can take place. The story of the prodigal son in Luke 15 is also pertinent in this regard.

There is a need to acknowledge that both testaments have retributive and restorative themes. However, the theme of restoration provides a broader interpretative framework than that of retribution. The best place to illustrate this is from the Old Testament, which is often erroneously viewed as the place where retributive justice denies forgiveness and mercy. Hopefully in the following discussion it will be clear that the Old Testament, contrary to traditional Christian opinion, does indeed have a strong restorative theme, and, moreover, one which takes account of the retributive language of guilt and punishment.

The Old Testament concept of justice is diverse and is not easily defined. To describe Old Testament justice as “eye for eye” or “retributive” simply will not do. The concept of justice here is incredibly relational.

In assessing biblical language we must be careful to set it in its context. The central understanding and purpose of Old Testament law and justice is the creation and maintenance of *shalom* and of the covenant. *Shalom* was a state in which the community would experience ‘rightness’ within it. The law was a pattern for living in *shalom*, a law being just insofar as it promoted *shalom*. This meant that there was a strong emphasis on looking after those who were poor and oppressed – i.e. social justice. Seeking justice had important social implications.¹⁷ A criminal offence breached relationships that were established by the covenant, thus upsetting *shalom*. In these cases *shalom* needed to be restored. Covenant justice was satisfied ultimately by the restoration of *shalom*, not by painful punishment, even if this was part of the process. In many instances the main aim was simply to restore a victim rather than punish an offender. For *shalom* to be restored, harm had to be repaired, and sometimes this meant that the victim was given reparation.

This idea lay behind the Israelite law-court. In Old Testament legal processes, the accuser may have been an enemy with cruel intentions. The job of a judge was not just to apply the law but also to vindicate the righteous. If the judge decided in favour of the accused then he would have been considered as having saved this person from oppression. This shows that Old Testament forensic justice could be viewed as a positive intervention on the side of those who were otherwise defenceless.

The main goal of a trial in ancient Israel was to settle a dispute and help the community to thrive and prosper once more. Punishments were not intrinsically good, as they are held to be in retribution theory. Punishments were always an aid to communal living – the goal being to restore community fellowship. Unlike within retribution theory, justice was not about dispensing just deserts. Justice was viewed ultimately in restorative terms – centring on restoring community relationships. Even when a person was found guilty and punished, this was not a mere retributive measure to restore some abstract metaphysical imbalance or to ‘uphold law and order.’ The measures in the form of punishment were efforts to put to right things that had been put wrong, as well as to restore the community’s

integrity and relation to Yahweh. The same applies even to the seemingly harsh retributive punishments such as exile and death. The goal was not to punish as an end in itself. It was to restore the community to its covenant commitments to live as God's people. It was a case of purifying or purging the community of a sin that would threaten the existence of the covenant community if it were not dealt with. On a number of occasions the Bible speaks of such actions in terms of a 'cleansing.'¹⁸ Execution was not then retributive in the strict sense.

The justice of God also has a forensic dimension that involves punishment. There are frequent images of divine punishment – against Israel, against individual Israelites or against external oppressors. However, these too are not merely retributive. The justice of God is related to the liberation of those who are suffering or to do with purifying and refining those who have gone astray. It is not primarily related to the destruction of an oppressor as an end in itself. Sometimes this will be the case but always as a means to a better end. The goal of judgement is salvation of the poor, weak and righteous. God's justice is primarily restorative, operating to these ends. It is not primarily punitive and destructive. Yahweh's punishment is a part of restoration – a process – not the be all and end all of divine justice (see Amos 9:11ff, Ezekiel 20, 36:24-28 & Deuteronomy 30:1-4).

Bare punishment cannot satisfy the demands of justice like retributivist theory would imply. Justice can only be satisfied when harm is undone and repaired as far as possible. Sin separates us from God and from our neighbour. Justice then involves a huge element of restoration and reconciliation, requiring repentance and forgiveness, not payment in kind, to help overcome the harm caused. As Marshall puts it, "God's justice can be ultimately vindicated not by retribution but only by reconciling forgiveness, for only thus are things put right."¹⁹

The notion of restoration is thus more likely to take the biblical concept of justice more seriously than the notion of retribution. The restorative framework is wider in scope and helps to take into account elements of the biblical idea that retributive justice does not. Like biblical justice, it seeks to put right as far as possible what crime has made wrong, even though punishment will often form a part of this process.

perfectly forgiving and perfectly just

Jesus calls us to live lives of forgiveness, to walk the paths of reconciliation and to engage in processes of restoring individuals and communities. This involves grace, mercy and, quite possibly, self-sacrifice and personal cost. It hurts to forgive. It is hard to embrace a sinner. It takes strength and courage to resist the temptation of revenge. It is costly to freely give, getting nothing in return. It is challenging to move beyond retributive frameworks and embrace the creativity of forgiveness, reconciliation and restored relationship. But the One who calls us to this task is the one who lived it – our exemplar, Jesus Christ – perfectly forgiving and perfectly just.

notes

¹With the double-authorship of this paper comes the task of reflecting on forgiveness, reconciliation and justice according to the terms assigned within the ECONI research scheme in general. ECONI's decision of cross-assigning the companion themes of reconciliation and justice to a Catholic and Protestant respectively was intended to work counter-culturally to the usual nexus in common understanding, of justice as the over-arching concern for Roman Catholics, and reconciliation as the preferred focus of Protestants. While not setting out to achieve a resolution of the inherent complexity of the topic, double authorship and theme aside, one hopes that this contribution will demonstrate a theological counterpoint between the companion authors, and within the fuller resonance of the wider ECONI project on forgiveness, sound the reclamation of forgiveness as an identifying, if not *the* identifying mark of Christian praxis for Northern Ireland in this new millennium.

²See Alex Boraine, *A Country Unmasked: Inside South Africa's Truth and Reconciliation Commission*, (OUP: Oxford, 2000).

³Hannah Arendt, *The Human Condition: a Study of the Central Conditions Facing Modern Man*, (Chicago University Press: Chicago, 1958), pp.238-9.

⁴Paul Ricoeur, *The Symbolism of Evil*, (Beacon Press: Boston, 1967).

⁵Gabriel Daly, "Forgiveness and Community," in *Reconciling Memories*, Alan D. Falconer, ed. (Columba Press: Dublin, 1988), p.99.

⁶See L. Gregory Jones, *op. cit.*, pp.135-162; Geraldine Smyth, "Brokenness, Forgiveness, Healing and Peace in Ireland," in Raymond G. Helmick S.J. and Rodney L. Petersen, *Forgiveness and Reconciliation: Religion, Public Policy and Conflict Transformation*, (Templeton Press: Philadelphia, 2001), pp.334-5.

⁷Gabriel Daly, *Creation and Redemption*, (Gill and Macmillan: Dublin, 1988), pp.184-186.

⁸Stanley S. Harakas, "Forgiveness and Reconciliation", in Helmick and Petersen, *op. cit.*, pp.51-78.

⁹The first lays the full weight of forgiveness and salvation on the once-for-all sufficiency of the saving work of Christ (Hebrews 9:25ff; Romans 5:15-19), a grace appropriated by faith alone, as stressed particularly at the Reformation. The second pole lays emphasis on the role of human freedom in living into that grace (the Pauline injunction to "work out your salvation in fear and trembling"), implying that human creatures must struggle against their own imperfection, and grow into the grace of forgiveness, extending forgiveness in the community. Here can be seen the understanding of salvation appropriated in the whole process of sanctification - in bearing a harvest of good works through perseverance.

¹⁰Harakas *op. cit.*, pp.61-62.

¹¹Arendt, *op. cit.*, p.237.

¹²On the necessary ambiguity of remembering the past and at the same time of forgetting and letting it go, see Geraldine Smyth, "Sabbath and Jubilee," in Hans Ucko, *The Jubilee Challenge: Utopia or Possibility? Jewish and Christian Perspectives*, (WCC: Geneva, 1997), pp.59-76.

¹³Arendt, *op. cit.*, pp.240-241.

¹⁴Dietrich Bonhoeffer, *Ethics*, Eberhard Bethge, ed. (SCM: London, 1955), pp.53-54.

¹⁵e.g. Romans 5:10 and 2 Corinthians 5:18-20.

¹⁶Christopher D. Marshall, *Beyond Retribution: A New Testament Vision for Justice, Crime and Punishment* (Eerdmans: Cambridge, 2001), Cpt.3.

¹⁷Leviticus 25:4ff, Deuteronomy 15 and 19.

¹⁸Deuteronomy 17:12 and 19:13.

¹⁹Marshall, *op. cit.*, p.128.

recommended reading

L. Gregory Jones, *Embodying Forgiveness: A Theological Analysis* (Eerdmans: Grand Rapids, 1995).

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