

Greetings church,

We're on chapter 6, "Justice Systems; Or, What Consequences for Harm?"

In this chapter Rabbi Ruttenberg seeks to demonstrate how the current construct of the United States' justice system precludes us from, as a nation, truly practicing repentance and repair. This suggests that we, as Americans, are not very interested in repentance and repair and that we are far more interested in punitive consequences for people who cause harm except when it comes to big money makers; be they institutions or private individuals.<sup>1</sup> For further consideration in examining this tendency towards punitive consequences, consider the work of Howard Zehr. He points out that criminal justice systems ask three questions: 1. What laws have been broken? 2. Who did it? 3. What do the offender(s) deserve?<sup>2</sup> I am quite confident that you who are reading this can see how that is indeed the primary way the criminal justice system in the United States works. In quite a stark contrast, Zehr points out the *six* guiding questions for restorative justice work: 1. Who has been hurt? 2. What are their needs? 3. Whose obligations are these? 4. What are the causes? 5. Who has a stake in the situation? 6. What is the appropriate process to involve stakeholders in an effort to address causes and put things right?<sup>3</sup> Criminal justice systems demand convictions and in the United States, I cannot speak for further countries, there is a clear emphasis placed on *quick* convictions; a short turnaround time is demanded that puts a higher emphasis on said convictions regardless of their accuracy. These factors combine to make the pursuit of Zehr's six guiding questions highly untenable for our culture at large without a significant societal change and shift away from punitive consequences towards repentance and repair.

Ruttenberg further points out that, due to its personal nature as discussed in previous chapters, repentance is not something that can be forced nor coerced thereby making it such that systems are not the ideal mechanisms for effectuating repentance and repair. "Ultimately, systems cannot force repentance. Systems absolutely can hamper the work or foster it. They can offer tools for the cultivation of the princess, they can offer guides and supports and direction, but the work of transformation ultimately rests with the perpetrators of harm."<sup>4</sup> What this means then is a shift away from the current cultural climate of hyper-individualization and shift towards a cultural climate of community and togetherness identified by mutual care and affirmation. Now, I understand there is a growing subculture desiring to undercut and eradicate empathy. But empathy is not only biblical, it is the way *out* of hyper-individualism where might makes right and consequences are damned, and the way towards repentance and repair. "... embeddedness in community - shows the path back to empathy, to concern, to remorse, repentance, and repair. This is, of course, the opposite of a carceral system that tries to remove a perpetrator from society and from the places in which they are rooted."<sup>5</sup> Hyper-individualism willfully ignores the reality that we are all connected and we desperately need to reclaim the reality, the truth, of said connectedness. First in our families, next in our cities, third in our country, and fourth in our whole world. In pursuing the love of neighbor that

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<sup>1</sup>As an example, consider the following: "All that is criminalized isn't harmful, and all harm isn't necessarily criminalized. For example, wage theft by employers isn't generally criminalized, but it is definitely harmful." Ruttenberg, Danya. On Repentance and Repair: Making Amends in an Unapologetic World. Beacon Press, Boston, MA; 2022. p.144, quoted from Mariame Kaba..

<sup>2</sup>Ruttenberg, Danya. On Repentance and Repair: Making Amends in an Unapologetic World. Beacon Press, Boston, MA; 2022. p. 152.

<sup>3</sup>Ibid, pp. 151-152.

<sup>4</sup>Ibid, p.160.

<sup>5</sup>Ibid, p. 164.

Jesus calls us to (Lev. 19:18, Matt. 22:29, Mark 12:31, Luke 10:27, Rom. 13:9, Gal. 5:14, James 2:8), we can find the fortitude and strength of moral character to set aside our selfish, individualized desire for punitive consequences and move towards pursuing the justice of God, equity, through repentance and repair.

In Christ's Service,  
Pastor Eddie