

RESTORATIVE JUSTICE BIBLE STUDY



What is Restorative Justice?

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Micah 6:8

He has showed you, O man, what is good. And what does the LORD require of you? To act justly and to love mercy and to walk humbly with your God.

(New International Version)

Overview of the theme for the 2005 Restorative Justice Bible Study

God calls us to act justly, which raises the questions, “What is justice”, and “What does it mean to act justly?” These are the questions we will explore in this study series.

Prison Fellowship supports and promotes restorative justice reforms in the justice system. Restorative justice is an approach to *understanding* and responding to crime. In terms of understanding crime, restorative justice theory emphasizes crime as harm to people, relationships, and communities. In terms of *responding* to crime, restorative justice practice focuses on repairing the harm inflicted by crime on people, relationships, and communities, and on giving those directly affected by the crime the opportunity to determine what that repair will look like.

Restorative justice practices incorporate several key principles or values:

- *Encounter* – those involved in and affected by a crime should have opportunity to encounter or engage each other personally in response to it;
- *Inclusion* – all of those involved in and affected by a crime should be included in the response, to it to the extent they want to be involved;
- *Amends* – an offender should have opportunity to make amends, symbolical and material, for the harm caused by his or her actions; and
- *Reintegration* – the response to a crime should seek full integration of the offender and the victim into their communities

Hence, this study will focus on the following topics:

- Lesson 1: Justice
- Lesson 2: Encounter
- Lesson 3: Inclusion
- Lesson 4: Amends
- Lesson 5: Reintegration
- Lesson 6: Application

In its fullest and best sense, restorative justice is both a way of seeing crime correctly and a way of responding to crime appropriately. In the studies which follow, we will have opportunity to explore carefully the meaning and practice of restorative justice. In faith, hope, and love, may we ask God for grace to grow so that at the end of the week, and beyond, we can do better what God requires of us – to act justly, to love mercy, and to walk humbly with him.

Suggestions for Using this Study Guide

Each lesson in this guide begins with a Scripture passage or passages to read and consider. Along with Scripture, we will find a brief meditation on the particular study topic to read, ponder, and apply. We will also find related questions to assist in reflecting on and applying the topic.

The lessons in the study guide (Scripture passages, meditation, and questions) can be usefully included in the observance of Restorative Justice Week (21-25 November 2005), either individually or as part of a group. Here are a few ways to use the study guide:

- Daily devotional
- Training with staff, volunteers, or board members
- Bible study in prison
- Study or information session with local churches, student groups, or Christian professionals
- Study or information sessions for Christian prison personnel and justice officials

LESSON 1: JUSTICE

Isaiah 32:16-20

Justice will dwell in the desert and righteousness live in the fertile field.

The fruit of righteousness will be peace; the effect of righteousness will be quietness and confidence forever.

My people will live in peaceful dwelling places, in secure homes, in undisturbed places of rest.

Though hail flattens the forest and the city is leveled completely, how blessed you will be, sowing your seed by every stream, and letting your cattle and donkeys range free.

(New International Version)

Hosea 2:18-20

In that day I will make a covenant for them with the beasts of the field and the birds of the air and the creatures that move along the ground.

Bow and sword and battle I will abolish from the land, so that all may lie down in safety.

I will betroth you to me forever; I will betroth you in righteousness and justice, in love and compassion.

I will betroth you in faithfulness, and you will acknowledge the Lord.

(New International Version)

Reflection on justice

In the passages from Isaiah and Hosea we see a picture of justice. Rich in imagery and meaning, the passages piece together a mosaic of justice using terms such as peace, security, rest, confidence, love, compassion, commitment, faithfulness, and fruitfulness. Justice is connected with right relationships among people and in all of creation. It provides a strong foundation for overcoming adversity and conflict.

Compare Isaiah and Hosea with the commonly accepted notion that justice means each person gets his or her due. For example, honest work and responsible living merit appropriate rewards in terms of standard of living and place in the community. Wrongful behaviours deserve punishment in proportion to how bad they were as defined by social codes, rules, or laws. In either case, justice means a person ought to receive what is due based on the kind or amount of good or bad he or she has done.

In other words, conversations about justice today typically emphasize the following:

- Enforcement of laws
- The role of the state or civil officials
- Unbiased and impartial judges
- Individual actions, and what is due and proportionate in response to them (i.e., fairness and equity of response in terms of what individual actions deserve or merit)
- A backward-looking perspective to settle accounts from past wrongs

Reflection Questions:



1. What do you think of when you hear the word *shalom*? Can you recall times when you experienced *shalom*?

2. Can justice be both fair/impartial and personal?

As important as those are, Biblical passages such as Isaiah 32, Hosea 2, and others, provide a much larger vision of justice. That vision focuses on people, on individual and social well-being – specifically, on people in right relationship with God and with each other. Biblical justice is fundamentally personal and relational. Moreover, it envisions a fullness of life for all.

Thus Biblical justice emphasizes the following:

- People and relationships
- The well-being of people and relationships
- Repair of harm to people and relationships
- A forward-looking perspective to restore people and relationships in both present and future states

The Biblical conception of justice is rooted in and stems from the vision of *shalom*. *Shalom* in the Bible is a richly textured idea. Generally translated as peace, *shalom* means more than a lack of conflict. It envisions people in active, right, fruitful relationships with each other, with God and with creation. Peace in this sense not only reduces or prevents conflict but it also fosters individual and social well-being. It yields a fullness of life for all.

Justice then, Biblically understood, seeks *shalom*. When wrongdoing occurs between people, *shalom* suffers and it is unjust to leave unresolved both the wrongdoing and the resulting harm. Practicing justice rebuilds and increases *shalom* for the affected individuals and society.

In a similar way, restorative justice is an attempt to respond to wrongdoers and to the harm they have caused so that relationships within the community are strengthened, injuries are resolved, community values are upheld, and victims are protected.

Reflection Questions:



3. How does the justice system in your country (fundamental ideas, practices) compare with justice as found in the Bible (fundamental ideas, practices)?

4. What would justice that seeks *shalom* look like if put into practice in your country? How would your country be the same? How would it be different?

LESSON 2: ENCOUNTER

Leviticus 19:17-18

Do not hate your brother in your heart. Rebuke your neighbor frankly so you will not share in his guilt. Do not seek revenge or bear a grudge against one of your people, but love your neighbor as yourself. I am the Lord.

(New International Version)

Matthew 5:7, 9

Blessed are the merciful, for they will be shown mercy.... Blessed are the peacemakers, for they will be called sons of God.

(New International Version)

Matthew 18:15-16

If your brother sins against you, go and show him his fault, just between the two of you. If he listens to you, you have won your brother over. But if he will not listen, take one or two others along, so that every matter may be established by the testimony of two or three witnesses.

(New International Version)

Galatians 6:1a

Brothers, if someone is caught in a sin, you who are spiritual should restore him gently.

(New International Version)

Reflection on encounter

As we have seen, a restorative justice understanding of crime focuses on the people and relationships involved in and affected by criminal wrongdoing. Crime is more than breaking a law or laws. It also harms people and relationships.

It follows then that a restorative justice response to crime focuses on people and relationships. Such a response seeks to provide opportunities for offenders, victims, families, friends, and community members to meet – to encounter each other to discuss and deal with crime and its effects on them and their relationships.

All of this is deeply consistent with Biblical principles and practices for responding to wrongdoing. Compare the passages from Leviticus 19, Matthew 5 and 18, and Galatians 6. God acknowledges the harmful reality and power of wrongdoing. The texts show that God cares about victims and offenders – *both* parties in conflict. God wants people in conflict to do what they can to recognize the harm and its consequences and then to seek restoration and reconciliation. The texts from Leviticus, Matthew, and Galatians suggest that this should be done through personal engagement between people who are set against each other because of wrongdoing or conflict.

Encounter, then, is one of the key principles or values in restorative justice practice. An encounter can occur directly in a meeting between the involved parties. Alternatively, it can occur indirectly through a sequence of separate meetings with the parties involved, or through letters, videos, and the like.



Reflection Questions:

1. What are the effects of conflict or crime on people and their relationships?

2. Why is it important or valuable that people in conflict, or people affected by crime, encounter each other personally?

Whatever the means, a restorative encounter process aims to accomplish the following objectives:

- Bring the parties in conflict together in an interactive process (e.g., mediation, conferencing, circles, exchange of letters or messages)
- Provide a venue for victims to tell their story to others, particularly to the offender
- Give offenders an opportunity to acknowledge their actions and to understand the harm they have caused
- Make space for communication and truth-telling, leading to the sharing of emotion and to understanding and empathy, and even to confession and repentance
- Come to an agreement about how to deal with the effects of the crime, especially through actions the offender will undertake
- Create the potential for rebuilding or transforming relationships

In short, the appropriate and effective way to pursue justice and *shalom* after a crime is to bring together those who are involved in and affected by it in direct or indirect personal encounter.

Through encounter with each other, the parties can take ownership of their actions and their reactions. They can exercise responsibility and compassion, and seek restoration and transformation for themselves and their relationships, by dealing personally and positively with crime and its effects.

Reflection Questions:



3. What are some of the ways that people in conflict, or people affected by crime, could encounter each other?

4. What are possible risks when people in conflict encounter each other in dealing the problem and its effects? What are possible benefits?

5. How would you structure a restorative justice program to safeguard against the risks and enhance the benefits of this kind of encounter?

LESSON 3: INCLUSION

Deuteronomy 19:15

One witness is not enough to convict a man accused of any crime or offense he may have committed. A matter must be established by the testimony of two or three witnesses.

(New International Version)

Matthew 18:15-17

If your brother sins against you, go and show him his fault, just between the two of you. If he listens to you, you have won your brother over. But if he will not listen, take one or two others along, so that every matter may be established by the testimony of two or three witnesses. If he refuses to listen to them tell it to the church; and if he refuses to listen even to the church, treat him as you would a pagan or a tax collector.

(New International Version)

1 Timothy 5:19

Do not entertain an accusation against an elder unless it is brought by two or three witnesses.

(New International Version)

Reflection on inclusion

Crime fundamentally involves harm to people and relationships. Appropriate and effective response to crime brings people together, directly or indirectly, to deal with the crime and its effects. This is the beginning of a *restorative* response to crime.

All of those involved in and affected by a crime should be invited to participate in this process. In many discussions of restorative justice, those affected by a crime are called “stakeholders.” *Inclusion* of all stakeholders is one of the key principles or values of restorative justice practices in seeking to move forward from the harm caused by crime.

In many Biblical texts, such as the ones above, we see the critical importance of including all concerned people – all stakeholders – in dealing with wrongdoing. Conflict, wrongdoing, and crime alienate and isolate people emotionally and relationally – in addition to the material or physical damages they cause. It is right and good to respond to conflict by including as many as necessary among those affected.

Inclusion can take various forms. One way is through full sharing by justice officials of information about proceedings and resources with all affected parties, especially with victims, families and friends, and communities. Another form might be to allow victims to be present in court, to offer victim impact statements, and perhaps even grant them legal standing during the criminal proceedings. Restorative justice practice has suggested other ways to include the stakeholders, such as the various kinds of family or community gatherings to address wrongdoing or conflict (e.g., conferencing and circles). The parties can be included at various points throughout the process: investigation; pre-sentencing; plea bargaining; trial; sentencing; and post-sentencing.

Reflection Questions:



1. Does the criminal justice system in your country include all stakeholders or only a select few? In either case, why?

2. What are the possible risks in including all stakeholders? What are the potential benefits?



Reflection Questions:

We should not expect that inclusion of affected parties is necessarily a simple and easy component in seeking a restorative response to crime. Not all may see inclusion as a *value*. Some victims may balk at participating in a process that involves encounter with the offender. Participants may be strongly disposed to pursue their own perspectives, needs, and interests at the expense of others, at the expense of trying to resolve the conflict and harm.

Yet inclusion is a key value in addressing wrongdoing and crime in the following ways and for the following reasons, perhaps especially for victims.

- Inclusion, negatively put, means an affected person is not being ignored.
- Inclusion, positively put, means an affected person participates, takes or gains responsibility, shares his or her perspectives and feelings and needs, and influences the outcome.
- Inclusive, collaborative processes, negatively put, reduce the prospect of one party dominating the shape of the outcome.
- Inclusive, collaborative processes, positively put, bring in other parties who may be helpful in resolving the conflict.
- Inclusive processes are *collaborative*, involving all parties in the conflict who wish to participate.
- Inclusive, collaborative processes allow all parties to listen to each other and understand each other as far as possible.

Inclusion of all stakeholders in the process of addressing a crime can reduce the feelings of increased alienation and isolation through being discounted or ignored by the response to a problem. Even more, inclusion can help to overcome the experience of alienation and isolation. It can bring together as many as necessary in efforts to try to address restoratively as many aspects as possible of the material, personal, and social damages caused by crime.

3. Why might some people not want to be included in the process of response to crime? Why might others want to be included? How could you motivate and encourage all stakeholders to participate? How would you respond to those who still don't want to participate?

4. Would some kinds of crime not be suitable for inclusion of all stakeholders? Why or why not?

5. How would you structure a program to include stakeholders in developing a response to a crime that would satisfy all stakeholders as against just each stakeholder pursuing his or her own interests?

an environment of criminality or wrongdoing. Or, an offender may agree to enter a therapeutic program to alter problem behaviour.

Still another way for an offender to make amends is to pay *restitution* for loss incurred by the victim. Restitution can be accomplished in a variety of ways such as through return or replacement of material goods and property, through monetary payment, or through performance of services to the victim or community.

An offender can go still further. He or she can go beyond apology, changed behaviour or restitution to something we might call *generosity*. In doing this the offender shows a willingness to do more than merely “balance the books” with the victim or community after the “imbalance” resulting from crime. Displaying generosity, the offender does more to make up for the harm or loss inflicted than a strict proportionate sense of amends would require.

This topic is where a restorative justice approach clearly differs from criminal justice, justice in the general public and in most criminal justice systems. A restorative approach to wrongdoing, genuinely centred in the shalom or well-being of people and relationships, goes beyond merely getting back to “zero” or “neutral” from a situation of deficit in a person’s life or a relationship. A restorative approach seeks to repair harm in order to foster strong relationships among the people harmed by crime.

Reflection Questions:



3. Are there crimes for which an offender could not make amends at all? Why or why not?

4. Why might an offender make amends? Why might an offender refuse to make amends? How might a process or program change the motivation or choice of such an offender?

5. Why might a victim accept amends from an offender? Why might a victim refuse amends? How might a process or program change the motivation or choice of such a victim?

LESSON 5: REINTEGRATION

Matthew 18:15-20

If your brother sins against you, go and show him his fault, just between the two of you. If he listens to you, you have won your brother over. But if he will not listen, take one or two others along, so that every matter may be established by the testimony of two or three witnesses. If he refuses to listen to them tell it to the church; and if he refuses to listen even to the church, treat him as you would a pagan or a tax collector. I tell you the truth, whatever you bind on earth will be bound in heaven, and whatever you loose on earth will be loosed I heaven. Again, I tell you that if two of you on earth agree about anything you ask for, it will be done for you by my Father in heaven. For where two or three come together in my name, there am I with them.

(New International Version)

2 Corinthians 2:3-11

I wrote as I did so that when I came I should not be distressed by those who ought to make me rejoice. I had confidence in all of you, that you would all share my joy. For I wrote you out of great distress and anguish of heart and with many tears, not to grieve you but to let you know the depth of my love for you. If anyone has caused grief, he has not so much grieved me as he has grieved all of you, to some extent – not to put it too severely. The punishment inflicted on him by the majority is sufficient for him. Now instead, you ought to forgive and comfort him, so that he will not be overwhelmed by excessive sorrow. I urge you, therefore, to reaffirm your love for him. The reason I wrote you was to see if you would stand the test and be obedient in everything. If you forgive anyone, I also forgive him. And what I have forgiven – if there was anything to forgive – I have forgiven in the sight of Christ for your sake, in order that Satan might not outwit us. For we are not unaware of his schemes.

(New International Version)

See also Luke 19:1-10; 2 Corinthians 1:5-11; Philemon

Reflection on reintegration

The impact of crime is much greater against the people who are victimized than it is against laws. It is no surprise, then, that the causes and effects of crime are profoundly and often devastatingly personal, both individually and socially. One of the causes and effects of crime is alienation from people and society, from loving and healthy relationships. Both offenders and victims experience this alienation and isolation caused by crime.

Often offenders are already alienated from positive relationships and from healthy society. This isolation can contribute significantly to the decision to commit wrongs. Criminal behaviour, in turn, only increases alienation, even stigmatization, from society, especially when an offender is punished by removal from society and incarceration in a correctional facility, or when the victim has been severely traumatized.



Reflection Questions:

1. How and why are offenders alienated or isolated from others and from society?

2. How and why are victims alienated or isolated from others and from society?

3. What might motivate an offender to try to reintegrate into society? What might inhibit an offender's motivation to reintegrate?



Reflection Questions:

From a restorative justice perspective, this is not satisfactory. Punishment in and of itself generally does little or nothing to reduce an offender’s likelihood of re-offending after the punishment has been completed. It often enough has the opposite effect! Instead, the purpose of justice should be to help offenders find a way back to the community where they can reintegrate and succeed as members of the community.

Victims of crime also often experience alienation from others, from positive relationships and healthy society, in the wake of crime. Victims are often stigmatized – or feel they are stigmatized – because their friends and family members are afraid that they too could be harmed. As a result, victims may begin to close their connections to others and to their community.

Hence, for both offenders and victims there is a great need to reconnect successfully and healthfully with others, with their community. *Reintegration* is therefore one of the key values in restorative justice practices. From a restorative justice perspective, one of the primary aims of a justice response to crime should be to help those involved in and affected by crime participate again in their community in a meaningful, positive way.

This may require outside help. Reintegration programmes may include support groups for ex-offenders or for victims, and so forth. Faith communities also can foster reintegration for offenders or victims in the form of friendship, material aid, and spiritual support.

Reintegration is a value grounded firmly in the character and purposes of God, as shown in many Biblical passages, including our texts today. Rebuilding of damaged or broken relationships is a matter of both personal salvation and justice. It could indeed be argued that reintegration of sinful people – reintegration with God and with each other – is God’s great purpose in salvation history. Truly restorative justice aligns with and participates in this great purpose!

4. What might motivate a victim to try to reintegrate into society? What might inhibit a victim’s motivation to reintegrate?

5. What conditions in a community will foster reintegration? What conditions will inhibit reintegration?

6. Do reintegration and reconciliation have the same meaning, overlapping meanings, similar meanings, or distinct meanings? Explain your answer.

LESSON 6: APPLICATION

Matthew 7:24-27

Therefore everyone who hears these words of mine and puts them into practice is like a wise man who built his house on the rock. The rain came down, the streams rose, and the winds blew and beat against that house; yet it did not fall, because it had its foundation on the rock. But everyone who hears these words of mine and does not put them into practice is like a foolish man who built his house on sand. The rain came down, the streams rose, and the winds blew and beat against that house, and it fell with a great crash. *(New International Version)*

James 1:22-25

Do not merely listen to the word, and so deceive yourselves. Do what it says. Anyone who listens to the word but does not do what it says is like a man who looks at his face in a mirror and, after looking at himself, goes away and immediately forgets what he looks like. But the man who looks intently into the perfect law that gives freedom, and continues to do this, not forgetting what he has heard, but doing it – he will be blessed in what he does. *(New International Version)*

Reflection on application

Throughout the Bible God makes it clear that people should live in accord with certain principles for individual and social good or well being. God gave them to shape and guide us concretely as we live day to day. Jesus affirmed that his followers were to put into practice what he himself taught and lived. Writers of letters in the New Testament echoed Jesus’ emphasis on applied discipleship.

However excellent and attractive the idea of restorative justice appears to be, it is useless unless put into practice. At the conclusion of this study, the vital question is one of application. Now that we understand justice better, how can we (in Micah’s words) do justice? Here are three areas of application that might be considered.

Apply restorative justice when you are in conflict with someone else. You may be the offender or the victim; or perhaps it is not clear which of those roles you fill. Nevertheless, a restorative approach can be useful.

- Consider how to meet with the other party. Be sure to create an environment that is conducive for effective communication.
- Invite the other party to discuss this with you, and to design the way the meeting will take place.
- Both of you should have a chance to explain your perspectives. Listen carefully to the other party as well as describing the facts as you understand them. Describe the feelings that have resulted from those facts.
- Consider whether there are steps either of you needs to take to make amends. This may be accomplished through apology and forgiveness alone, or in combination with other forms of amends.
- Decide together on practical steps to take in the future to avoid the problem from reoccurring.

Reflection Questions:



1. Do you have a conflict with another individual? Could restorative justice principles help you begin to resolve it? What are some initial steps you could take to get started? When will you get started?

2. Are you part of a group that is in conflict? What ideas or guidance can you draw from this study of restorative justice?

SELECT RESOURCES FOR THIS STUDY AND FOR FURTHER STUDY

Books

- Johnstone, Gerry. 2001. *Restorative Justice: Ideas, Practices, Debates*. Cullompton, UK: Willan Publishing.
- Johnstone, Gerry, ed. 2003. *A Restorative Justice Reader: Texts, Sources, Context*. Cullompton, UK: Willan Publishing.
- Lampman, Lisa Barnes, and Michelle D. Shattuck, ed. 1999. *God and the Victim: Theological Reflections on Evil, Victimization, Justice, and Forgiveness*. With a foreword by Charles W. Colson. Grand Rapids, MI: Williams B. Eerdmans Publishing Company.
- Van Ness, Daniel, and Karen Heetderks Strong. 2001. *Restoring Justice*. 2d ed. Cincinnati, OH: Anderson Publishing Co.
- Zehr, Howard. 1990. *Changing Lenses: A New Focus for Crime and Justice*. Scottsdale, PA: Herald Press.
- Zehr, Howard. 2002. *The Little Book of Restorative Justice*. Intercourse, PA: Good Books.

Internet

- Restorative Justice Online
<http://www.restorativejustice.org/>
- Center for Restorative Justice and Peacemaking
<http://2ssw.che.umn.edu/rjp/>
- International Institute for Restorative Practices
<http://www.iirp.org/>
- Restorative Justice Project
<http://peace.fresno.edu/rjp/>

RESTORATIVE JUSTICE NETWORK

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Restorative Justice Network, PO Box 17434, Washington, DC 20041, USA
www.RestorativeJustice.org



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