

## **Spiritual and Theological Bases for Impact's Support and Encouragement of the Principles and Practices of Restorative Justice.**

Most major religious groups and faith communities embrace and encourage the practice of "Restorative Justice" as opposed to Retributive Justice which is often punitive. The concept of grace, forgiveness and reconciliation are common religious tenants. As an ecumenical and inclusive institution, Missouri IMPACT, along with most major religious denominations, urge the creation and pursuit of a genuinely new system for the care and restoration of victims, offenders, criminal justice officials, and the community as a whole.

The modern Restorative Justice movement has emerged since the 1980's and the Mennonites have played a key role in the new development. Restorative Justice arises out of biblical authority which emphasizes a right relationship with God, self and community. When these relationships are violated or broken through criminal behavior, opportunities are created to make things right.

Most criminal justice systems around the world are retributive. These retributive justice systems profess to hold the offender accountable to the state and use punishment as the equalizing tool for accountability. Such adversarial justice intentionally pits two opposing parties against one another in a battle to determine right or wrong, guilt or innocence, winner or loser. **But in restorative justice, there are no sides. Hopefully, all parties come together focused on the same objective: how the harm is to be repaired. Adversarial justice is based on a win/lose principle, restorative justice is based upon a win/win principle. Restorative justice seeks a healing for all versus a victory for one.**

We can't fully grasp what restorative justice is if we do not see that it invites a paradigm shift in the way "do" justice. In American culture, we are socialized from childhood to believe that retributive justice, the prevailing paradigm, is based upon the natural order of things. We're socialized to believe that the desire to inflict counter-violence upon someone who has hurt us or a loved one is natural. We're conditioned to think that humans have an innate response to retaliate and punish when we or our loved ones have suffered harm. Finally, we are socialized into believing that this is universal, that justice has always been done this way, and it always will be.

This prevailing idea of justice today is also based upon a Roman, Aristotelian, notion of "*to each his due*". The concern is: who determines what is due? And how? Justice is not blind as studies and statistics reveal, she often "peeks" to determine race, economic status, sex, and religion prior to determining what is due. This is a vision of justice which proposes to restore balance by inflicting more pain. Far from refraining from harm, it is a justice based upon inflicting more harm to pay for the original harm. A justice which inflicts pain on top of pain.

In Missouri alone which ranks 8<sup>th</sup> in the number of incarcerated in our nation, there are more than 30,000 each day incarcerated and thousands more on parole or probation. We have 20 bulging correctional and institutions and more contemplated to be built. Our nation has in it a rapidly expanding or more appropriately named: "metastasizing" prison industrial complex which houses the largest number of prisoners in the world. Since 1970 an almost 1000% increase in incarceration. Torture like conditions in prisons such as the often referred to: Supermax where prisoners are confined 23 out of 24 hrs per day, 7 days a week, and where they are subjected to such sensory deprivation that more and more inmates suffer complete mental and emotional breakdown.

Restorative justice seeks to hold the offender accountable to the victimized person, and to the disrupted community. Through God's transforming power, restorative justice seeks to repair the damage, right the wrong, and bring healing to all involved, including the victim, the offender, the web of families involved, and the community.

Dr. Martin Luther King said: "Justice is really love in application. Justice is love correcting that which would work against love. Standing beside love is always justice Can there be a way forward in our society and our State until we restore the bonds of our inter-relatedness?"

Restorative justice can perhaps be best visioned if we see it as the loom upon which the fabric of the beloved community is being rewoven. In its affirmation of our oneness and inter-relatedness, restorative justice we believe can be the beacon which lights our way into a perilous but hopeful future.