RESTORATIVE JUSTICE AND JESUS CHRIST:

WHY RESTORATIVE JUSTICE REQUIRES
A HOLISTIC CHRISTOLOGY

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Abstract

The holding of certain convictions about Jesus Christ and a commitment to the justice he articulated require a holistic Christology for any vision of restorative justice to be deemed ‘Christian’. A holistic Christology, by which is meant a Christology incorporating an integrated understanding of Jesus' life, death, resurrection and Spirit, holds that Jesus was crucified in part because he taught and practiced a vision of justice that was based on enemy-love. The resurrection of Jesus not only vindicates Jesus' teaching and death but reconciles enemies. The presence of the Spirit make justice and reconciliation central concerns for the Christian Church. In presenting this argument, key biblical texts from Luke-Acts are analysed in the context of a dialogue with a range of theological conversation partners, including CFD Moule, Dietrich Bonhoeffer, John Howard Yoder, Miroslav Volf and Eduard Schweizer. The thesis concludes with the identification of discipleship practices for Christian individuals and expressive models for Christian communities that give expression to a consciously biblical vision of restorative justice.
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Certificate of Authorship

I hereby declare that this submission is my own work and that, to the best of my knowledge and belief, it contains no material previously published or written by another person nor material which to a substantial extent has been accepted for the award of any other degree or diploma at Charles Sturt University or any other educational institution, except where due acknowledgment is made in the thesis. Any contribution made to the research by colleagues with whom I have worked at Charles Sturt University or elsewhere during my candidature is fully acknowledged.

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Geoff Broughton

16 March 2011
Introduction

For the last decade I have been immersed in the life of two Sydney inner-city communities. The city streets exhibit a peculiar justice. Poets, filmmakers and songwriters romanticise it, but many of those found at the margins of city life must live by it. It is an adversarial justice, often enacted violently. It is a world where ‘just desserts’ are meted out with Old Testament severity. Occasionally this includes demanding a ‘life for a life’.

Security guards regulate access to many nightclubs and entertainment venues on the main street, while cloistered inside the boardrooms and backrooms the same peculiar justice of the street is practiced (albeit with slightly more sophistication). The Royal Commission into the New South Wales Police Service conducted by Justice James Wood in 1994-1997 exposed the real world where criminal ‘justice’ enacted by inner city police also included violence and vengefulness.\(^1\) Despite misgivings about the miscarriage of justice, there is no consensus about how justice ought to be conceived let alone conveyed. Any talk of justice is challenging because of the multiplicity of approaches, widely different contexts, and sustained philosophical reflection that has accompanied it through many centuries.

These are coupled with a common assumption that justice is best understood in the light of concrete realities.

Found amidst the rough justice of the alleyways, the clubs and the cops of the inner city are a handful of small communities of faith

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whose primary allegiance is to Jesus Christ and his vision of justice found in the Scriptures, such as Luke 6:39 ‘to one who strikes you on the cheek, offer the other also.’ What impact could these seemingly naïve ‘god-botherers’ have on the violence and brokenness characterizing these kinds of neighbourhoods? What contribution could an ethic of ‘turn the other cheek’ make in a place where any weaknesses is immediately exploited for advantage? I will introduce some competing approaches to justice through a recent personal encounter.

As an Anglican priest, I was once struck across the face with a large bible by an aggressive, violent and troubled young man whom I knew well in such a community. Later that same evening he turned himself into the police, racked with feelings of guilt over assaulting a priest. The greatest challenge posed by the young man’s action was preventing him from harm once word of his actions began to spread. Some sought permission to exact revenge on my behalf. My main desire was for the kind of justice that would restore this individual to our community, a justice that included forgiveness and reconciliation. This appeared unintelligible to those who knew only the rough justice of the street. In the weeks that followed, as the Christian community engaged in restorative processes with the young man, those on the street watched closely. Did we take the demands of justice seriously? If the restorative justice employed by the Christian community failed, the rough justice of the street would intervene and perpetuate a cycle of violent revenge. The rival understandings and practices of justice predominant in inner city Sydney are evident throughout Australian society and, indeed pervade the whole world.
My encounter with the young man also exposed the fallacy of supposing there is only one kind of justice, grounded on ideals of equality or fairness. The investigating police believed my account of the incident, not his. When I insisted he not be charged, the matter was dropped. The street community instinctively sided with me. The young man was not harmed because the street respected my insistence that there be no revenge for my sake. In spite of our attempt to create a genuinely impartial process, the restorative practices of the Christian community assumed I was the victim in the incident. This suggests that justice conceived as a unitary ideal invariably privileges one over another in the face of wrongdoing and violence. In a dominant culture, the justice of those with status, wealth and education prevails. In a therapeutic culture, the justice of expressive and articulate victims prevails. In a street culture, the justice of those with physical strength and fearlessness prevails. In a judicial culture, the justice of reasoned logic and adversarial discourse prevails. Plainly, versions of justice are as diverse as human culture itself. What place, then, do Christian conceptions of justice occupy? Are they just another rival version of justice?

Rival versions of justice

From the discussion so far, it is clear that some attempt must be made to reconcile, or adjudicate between, the many competing versions of justice. Community stability dictates that justice cannot simultaneously be one thing and many things. The young man cannot avoid facing the demands of justice, regardless of whether it is the rough justice of the streets, the judicial justice of the courts, the therapeutic justice of the social workers or the restorative justice of the Christian community. However, to be subjected
serially or simultaneously to differing justice systems would be manifestly unjust. But does this mean that justice must be reduced to a single and comprehensive ideal before it can be done at all? If so, whose version of justice ought to prevail in such a situation?

We are assisted in answering this question by Yale theologian Miroslav Volf, who has identified three conceptions of justice. The first is the universalist claim that there is only one justice. The second is the pluralist concession that justice bears many names. The third is the practical acceptance that justice can only be understood and enacted within a specific interpretative tradition.² I will deal with the strengths and shortcomings of each conception before placing justice within the interpretative tradition of Christian theology and practice and dealing with the consequences of doing so.

Justice: the one, comprehensive ideal

Historically, there is no shortage of idealised accounts of justice. They can be traced back to the ancient world. While Plato showed in The Republic that Socrates was unwilling to define justice, Aristotle readily defined justice as ‘treating equals equally and unequals unequally, but in proportion to their relevant differences.’³ This approach has influenced nearly all

² Miroslav Volf, Exclusion and Embrace: A Theological Exploration of Identity, Otherness and Reconciliation (Nashville: Abingdon Press, 1996), 196-207. As Volf is one of my dialogue partners in this thesis, I am simply adopting his threefold schema at this point and engage his alternative in later chapters where he argues that ‘agreement on justice depends on the will to embrace the other’ and that only a reconciling mutual embrace satisfies justice. In chapters 3 and 6 I examine Volf’s image of embrace as reconciliation – the practice of following the Crucified, where the central image is God in Jesus on the cross, opening God’s arms to embrace sinful humanity.

subsequent theories of justice.\textsuperscript{4} Aristotle’s distinction between corrective justice (based on arithmetic equality) and distributive justice (based on geometric equality), informs most contemporary discussions. But we soon encounter the problem of recognising and resolving the tension between ‘conflicting demands of distributive and commutative justice.’\textsuperscript{5} The tension stems from the desire to persist with a single, integrated and comprehensive view of justice that applies to all people and for all time. It is a virtual ‘utopia located nowhere or a philosophical ideal applicable everywhere.’\textsuperscript{6} A brief survey of the most popular accounts of justice show how prevalent this notion has been through time. Philosophers and jurists since Aristotle have defined justice on the assumption that their definition is comprehensive, not susceptible to rival interpretations and dismiss conflicting interpretations as inferior. This presupposition is evident in all the major accounts of justice prior to and including John Rawls’ magisterial work \textit{A Theory of Justice} which was published in 1971.\textsuperscript{7}

\textsuperscript{7} John Rawls, \textit{A Theory of Justice} (Oxford: Oxford University Press, 1971). By way of illustration, the utilitarian definition (usually identified with John Stuart Mill) holds that justice is whatever does the greatest overall good. This definition posits justice in terms of a ‘golden rule’ where the existence of individual rights and equal treatment is paramount. This approach is dominant within public policy and among legislators. Justice is essentially rule-making designed to determine the good (happiness) and to secure compliance. Another approach, that of the ‘social contract’, defines justice in terms of fairness. The leading proponent of this approach is John Rawls. He attempts to take seriously a concern for the disadvantaged by viewing justice as the outcome of rational choice within a fair setting. The ‘process’ definition of justice (associated principally with Robert Nozick) holds that justice is whatever arises from a just situation by just steps. He argues for a process of justice-making that effectively limits the involvement of the State to an ‘invisible hand’ that operates only to preserve and protect individual rights. Restorative justice theory has been influenced by Nozick’s work through his ‘principle of compensation’, his ‘prohibition against harm’ and, most significantly, the notion that justice is determined by its context, making justice unavoidably contingent and conditional. As justice is the negotiated outcome of processes involving various stakeholders, restorative justice is deliberately and unavoidably contextual.
Thirty years after publishing *A Theory of Justice*, during which seismic shifts in the study of epistemology had taken place, Rawls recognised that he needed to deal with the pressing issue of pluralism. His deliberations were published as *Justice as Fairness: A Restatement*. Rawl’s shift from one acknowledged and unitary conception of justice to many competing and contrasting ideals of justice has preoccupied a generation of scholars and practitioners. The restorative justice movement, which emerged during the 1970s, partly reflects this shift in emphasis. In the growing body of literature on restorative justice, advocates were united in concluding that justice is never pre-determined. Thus, we need to ask: is justice necessarily situational and perhaps inevitably contingent?

**Justice: has many names in many contexts**

The shift in Rawls’ approach has led to the widespread recognition that any exploration of justice must acknowledge a plurality of notions and ideals. As a result, once comprehensive definitions of justice have become rival accounts. American ethicist Karen Lebacqz has identified six approaches to justice that have influenced each other in a number of ways. The authors of each approach would, I suspect, be surprised to find their thought exhibiting signs of complementarity. Rawls’ project was not merely to provide an alternative view to Mill’s utilitarianism. He wanted to *succeed* it. Similarly, Princeton political philosopher Michael Walzer’s *Spheres of*

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10 Karen Lebacqz, *Six Theories of Justice: Perspectives from Philosophical and Theological Ethics* (Minneapolis: Augsburg Publishing House, 1986). This treatment is similar to that encountered in Alan Ryan ed. *Justice* (Oxford: Oxford University Press, 1993). Lebacqz’s schema provides explicitly theological accounts of justice that are explored in chapter 2.
Justice sought to surpass Rawls’ view by demonstrating that ‘justice is a human construction, and it is doubtful that it can be made in only one way.’ Walzer’s project is one of the more influential accounts of the essential plurality of justice. He notes that there is a big difference between plurality and relativism.

Those advocating for the plurality of justice believe there can be freedom from the domination of the powerful. Economic and social power can be properly contained within its own sphere of justice. The judicial justice of the police and the courts, the rough justice of the streets and the backrooms, and the restoring justice of the Christian community could be considered to be three of the many ‘spheres’ (Walzer) or ‘worlds’ (Luc Boltanski and Laurent Thévenot) of justice that need to be accommodated in public life. This leads to the more basic question posed by the French philosopher Paul Ricoeur: how do we ‘justify agreement and manage disagreement without succumbing to violence?’ If justice does inhabit differing spheres so that justice itself bears many names, the act of judging becomes less significant. In effect, producing a just outcome becomes one of the ‘dilemmas’ of Canadian philosopher Charles Taylor because we do not have ways of judging between its ‘worlds’. A proper

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11 Walzer, *Spheres of Justice*, 5 who argues that ‘the principles of justice are themselves pluralistic in form; that different social goods ought to be distributed for different reasons, in accordance with different procedures, by different agents; and that all these differences derive from different understandings of the social goods themselves - the inevitable product of historical and cultural particularism.’

12 Walzer, *Spheres of Justice*, xiii. How this freedom is advanced remains a significant challenge.


15 Charles Taylor, *A Secular Age* (Cambridge: Belknap Press, 2007), 706 states: ‘first, we have to judge between claims A and B; but then we also have to decide whether we will go
concern for differentiation excludes the possibility of taking a single stand in the name of justice. Yet according to Ricoeur, the act of judging must ‘put an end to a virtually endless deliberation.’ The ‘secular age’ does not, however, provide sufficient grounds for judging. In fact, if Taylor is correct, non-religious grounds for thinking and acting actually distance us from injustice. Consequently, we do not have to judge. According to the Australian philosopher John Passmore, Western liberal democracies have lost the ‘ability to distinguish’ with the dire consequence that they are left with ‘nothing to fall back upon but egalitarianism’ masquerading as justice. The challenge for theology is acute: once ‘we have lost the ability to name evil and have taken a wrong turn in fighting it’ the pursuit of justice has taken ‘a turn deeply at odds with the inner logic of Christian faith.’

**Justice: just practices and just communities**

We must also ask whether conceptions of justice are necessarily adversarial? If justice is nothing other than a person getting their ‘just’ desserts, an inevitable division between ‘winners’ and ‘losers’ is made. In adversarial justice the winners are rewarded with certain goods and the losers are deprived of them. In contrast to the previous two conceptions of justice, the philosopher Alasdair MacIntyre has developed a more nuanced

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16 Ricoeur, *The Just*, 129 where he describes judging ‘taken in a broad sense, the act of judging consists in separating spheres of activity … delimiting; the claims of the one from those of the other … correcting unjust distributions, when the activity of one party encroaches on the field of exercise of other parties.’

17 Taylor, *A Secular Age*, 684 argues ‘we can see various forms of modern unbelief as powered by our recoil from suffering and evil.’


19 Miroslav Volf, "Demons or Evildoers?,” in *Against the Tide: Love in a Time of Petty Dreams and Persisting Enmities* (Grand Rapids: Eerdmans, 2010), 27.
understanding of the ways in which Western theories of justice emerge from traditions and practices.\textsuperscript{20} He is adamant that justice is not based on rights, arguing instead that ‘the truth is plain: there are no such rights, and belief in them is one with belief in witches and in unicorns … natural or human rights … are fictions.’ For him, no one is born with rights. Rather, they are born into communities with traditions that make ‘natural’ rights possible. MacIntyre’s proposal suggests a useful and yet incomplete way of evaluating competing claims about justice. His approach nonetheless validates the peculiar practices of the Christian community as one, enduring and plausible tradition capable of defining and pursuing justice.

The English moral theologian Oliver O’Donovan rightly identifies the philosophical importance of a Christian ‘stance’ with respect to questions of justice by arguing that ‘non-committal stances … create the illusion of settling questions justly, without needing to determine the truth of them.’\textsuperscript{21} His conception of justice as judgment will be discussed in chapter two. Two features are, however, worth noting here. The first is his argument that justice is ‘right-order’ which means that God’s order and God’s rights take precedence over human social ordering and human rights. A recent critic of O’Donovan’s justice-as-right-order is Yale philosopher Nicholas Wolterstorff who does not think that obligations precede rights. His alternate grounding for justice promotes a conception of justice-as-rights which, he argues, is more fundamental to the flourishing human

\textsuperscript{21} Oliver O'Donovan, \textit{The Ways of Judgment} (Grand Rapids: Eerdmans, 2005), 33.
The second feature of O’Donovan’s work worthy of noting is his ‘stance’ against a ‘secular’ age of possessive individualism. His argument must, therefore, be understood in the context of 500 years of secularisation described in detail by Taylor.

The approaches commended by Volf, MacIntyre and O’Donovan do not amount to a single or comprehensive ideal that can be promoted under the banner of ‘God’s justice’ in the public sphere. Their value is in offering an account of justice that takes seriously the histories of Christian communities. A theoretically grounded concept of justice needs to consciously avoid endorsing the notion ‘that the justice of the dominant is the dominant justice.’ It rejects those accounts of justice that rely upon coercive force employed by those possessing power. Such tactics are common in the slums and on the streets and in the backrooms and the boardrooms. They are used by the police and are upheld in the courts. None of this constitutes justice. It is crucial, therefore, that a vision of divine justice revealed in Jesus’ life, death and resurrection, and practiced by Christians and their communities rejects coercion and domination. I will argue that justice – expressed as enemy-love – constitutes God’s restorative justice.

Definition of restorative justice

Shared convictions about Jesus draw together a disparate group of people with diverse views about justice. Some of Jesus’ followers are passionate about justice and reconciliation. Others prefer a stricter, adversarial justice.


There are some who are skeptical (or even hostile) towards any talk about justice in Christian discourse. I will argue that holding certain convictions about Jesus Christ and a commitment to the justice he articulated require a holistic Christology. I will contend that sharing God’s unchanging desire for reconciliation and justice is constitutive of being a true disciple of Jesus and being a sincere member of his community. While my primary focus is the theory and practice of restorative justice, I also hope this thesis will deepen the reader’s convictions about Jesus’ enemy-love and the consequences for their life and relationships as well.24

The major themes of this thesis can be introduced through a description of another perhaps more typical incident from either the inner city communities I have belonged to. A person known locally enters a community space which is owned and staffed by the church. They are loud and more aggressive than usual. After a while he (it is usually a male) gets into an argument with another person. Threats are traded and violence erupts. In attempting to diffuse the situation, a female volunteer is physically knocked to the ground. Fortunately, she is not seriously hurt. The question arises: what constitutes a just outcome in responding to this situation? There are several stakeholders entertaining different views of what constitutes justice. First, there are those gathered in the community centre who have been promised a place free from the violence of the streets. Second, there is the victim who was promised relationships based on

24 I acknowledge that a shared commitment to justice also brings together people with conflicting views about Jesus Christ. There are people working for justice who are convinced followers of Jesus Christ. Others admire his life and teachings. Still others are skeptical about the relative importance of Jesus’ words and work in the pursuit of justice. A small group are hostile to any Christian theology and Church influence in this area. My argument also means that believing about Jesus Christ – his life, death, resurrection and empowering Spirit – has a decisive bearing on the vision of justice for those individuals and their communities.
generosity, compassion and respect. Third, there is the volunteer who was promised physical and emotional safety in the context of serving others. Fourth, there is the wrongdoer who is possibly a victim of the street environment he inhabits. Fifth, there is the Christian community which owns and operates the place where such a diverse group of people can gather and make these kind of promises. Sixth, there are the surrounding neighbours (such as local shopkeepers and residents) who expect to enjoy a safe and respectful environment to work and live in. The crucial question is this: how can this web of interconnected relationships be justly restored in the concrete realities I have described?

Through trial, error and training, both communities with which I am acquainted discovered a number of steps that helped them to act justly. They functioned as a kind of *aide memoire*. Step one: to prevent further violence and aggression, the wrongdoer might be excluded for a period of time and in extreme cases reported to the police. Step two: listen to the stories of the various stakeholders to understand their interpretation of what had occurred. Step three: name the wrongdoing (a moral verdict) while acknowledging this is always a fraught undertaking containing the possibility that further injustice might be done. Step four: impose a sanction (such as a ban) on the person who has been aggressive and violent. Step five: enable those who were labelled as ‘victims’ and ‘wrongdoers’ to reconnect with the community after the sanction. (This step, in my experience, is usually more important than the ban itself. The community’s commitment to both justice and reconciliation was usually referred to as ‘forgiveness-with-accountability’). Step six: require an act of deliberate repentance by the wrongdoer, with a renewed commitment to abide by the
values of the community. Step seven: bring reconciliation to the whole community by considering who needs or deserves an apology. An apology may be due to the victim, the volunteer or the entire community (some circumstances demand a public apology). Step eight: continue the process of restoring relationships between individuals within the wider web of relationships that is the community’s life.

The eight steps just outlined introduce a number of contested ideas in the theory and practice of restorative justice that will be explored in this thesis. They include the role of punishment in the process of forgiveness, the relationship between justice and reconciliation, the importance of practical disciplines and the role of the Christian community. In my view, contemporary approaches to restorative justice have been subverted by a growing preoccupation with technique and process. This suggests a decidedly therapeutic outlook. However, I believe this focus is at the expense of closer attention to the theological foundations of restorative justice and the distinct need for restorative justice to be underpinned by a more holistic Christology as I will explain. Theology can and must provide the depth and clarity that restorative justice needs to respond effectively to many forms of wrongdoing.

Biblical justice, interpreted as shalom, has been a significant element in much restorative justice literature. However, this literature does not adequately account for the great diversity within Scriptural perspectives on justice that are inherent in the crucial distinction between the semantic domains of justice and righteousness. The restorative justice movement appears to prefer the Scriptural witness to righteous bearing as relational and social justice (‘delivering, community-restoring justice’) while re-interpreting
classic definitions of δικαστήρια ('righteousness, forensic justice’) to suit its priorities. Notably, the formative studies in restorative justice literature were inspired by the Hebrew Scriptures, particularly the Prophets, which call for the actual practice of justice, and not merely the articulation of a concept of justice. Oft-cited examples of such holistic appeals include ‘hold fast to justice’ (Hosea 12:6), ‘establish justice’ (Amos 5:15), ‘do justice’ (Micah 6:8) and the prophet Isaiah’s vision of the proper worship of God as the enacting of justice. Theological contributions to restorative justice have depended mostly on these Old Testament notions, and have offered little more than passing engagement with the Gospels and the Pauline letters.

What, then, is restorative justice and how will it be pursued in this thesis? The most common understanding of restorative justice encompasses the theory and practice of justice-making in which relationships are restored. While there is no clear consensus about what this means among leading restorative justice theorists and practitioners, there is some common ground in relation to the following two principles: ‘first, justice requires that we work to heal victims, offenders and communities

25 Christopher D. Marshall, Beyond Retribution: A New Testament Vision for Justice, Crime, and Punishment (Grand Rapids: Eerdmans, 2001), 93. In his extensive survey of the semantic domains, Marshall gives the definition of δικαστήρια as ‘God’s justice as a redemptive power that breaks into situations of oppression or need in order to put right what is wrong and restore relationships to their proper condition.’ Marshall’s conception of this ‘saving’ justice is discussed in chapter 2.
27 Isaiah 58:6 ‘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?’
28 This changed with the publication of Marshall, Beyond Retribution. More recent work includes Ched Myers and Elaine Enns, Ambassadors of Reconciliation: Exploring a New Testament Theology and Diverse Practices of Restorative Justice and Peacemaking (vol. I; Maryknoll: Orbis Books, 2009). The writings of Myers and Enns are also explored (together with Marshall’s) in chapter 2.
that have been injured by crime. Second, victims, offenders and communities should have the opportunity for active involvement in the justice process as early and as fully as possible.\textsuperscript{29} According to both theorists and practitioners, just outcomes are primarily relational. But a relational definition of restorative justice can be obscured when a range of important issues, such as the place of retribution, the rights of victims and the role of forgiveness are neglected. The intersecting concerns apparent in the definition of restorative justice offered by three of its leading proponents demonstrate the ways in which the principles outlined above have been worked into three perspectives. These approaches are essential to my argument because they incorporate: Howard Zehr’s definition based on his experience as a practitioner; John Braithwaite’s definition from within Australian circumstances; and Desmond Tutu speaks as a pastor-theologian:

\textit{Zehr}: Restorative justice is a process to involve, to the extent possible, those who have a stake in a specific offense and to collectively identify and address harms, needs, and obligations, in order to heal and put things as right as possible.\textsuperscript{30}

\textit{Braithwaite}: Restorative justice is not simply a way of reforming the criminal justice system, it is a way of transforming the entire legal system, our family lives, our conduct in the workplace, our practice of politics. Its vision is of a holistic change in the way we do justice in the world.\textsuperscript{31}

\textit{Tutu}: [in] restorative justice, the central concern is not retribution or punishment … in the spirit of \textit{ubuntu}, the central


concern is the healing of breaches, the redressing of imbalances, the restoration of broken relationships, a seeking to rehabilitate both the victim and the perpetrator, who should be given the opportunity to be reintegrated into the community he has injured by his offence.\textsuperscript{32}

These definitions highlight some of the concerns already raised. They include working to put things right within a context of multiple stakeholders; responding to wrongdoing in everyday contexts which transcends legal frameworks and approaches; and the pastor’s perspective of ‘practical theology’.

Each definition marks an approach to justice involving a community comprised of victims, wrongdoers and others in relational proximity. It may be contrasted with the distance and enmity between stakeholders in more adversarial approaches identified by Taylor, who describes three possible relational stances taken in the face of wrongdoing. First, ‘no-one is to blame.’ This is the slogan of those with a ‘disengaged stance to reality’ that Taylor aligns with much of secular humanism. He refers to this as ‘the therapeutic outlook’. This contributes to a preoccupation with therapeutic technique and process in the restorative justice movement that will be critiqued in chapter 2. Second, ‘the enemy is to blame’. Taylor identifies this as ‘the practice of religious violence.’ This is the cry of the self-righteous who find their power to act by scape-goating the distant other. I will argue that Jesus’ enemy-love directly confronts the injustice of blaming of the enemy on religious grounds. Third, ‘we are all to blame’. This is the ‘restoration of a common ground … [that] opens a new

\textsuperscript{32} Desmond Tutu, \textit{No Future without Forgiveness} (London: Rider, 1999), 54-55. The second group of potential readers with explicitly theological concerns and who are likely to be less familiar with the restorative justice movement and its key concerns will find chapter 2 (Theological contributions to restorative justice) as the most convenient introduction restorative justice.
footing of co-responsibility to the erstwhile enemy.\textsuperscript{33} Taylor identifies the third relational stance with the approach taken by the \textit{Truth and Reconciliation Commission} convened to deal with apartheid-era violence in South Africa. Taylor contends that it satisfies the dual requirements of justice and truth because it is able ‘to bring terrible deeds to light, but not necessarily in a context of retribution.’\textsuperscript{34} Taylor admits that ‘no one knows if this will ultimately work [because] a move like this goes against the utterly understandable desire for revenge by those who have suffered, as well as all the reflexes of self-righteousness’.\textsuperscript{35} His analysis of wrongdoing explains why neither the so-called ‘closure’ offered by therapeutic process nor the ‘retribution’ offered by religious righteousness is actually able to restore justice in contexts like post-apartheid South Africa. My aim is to demonstrate that the centre of Christian theology, namely Jesus’ life, death and resurrection, informs and enables Taylor’s third response to wrongdoing. My argument depends on ‘interpretive commitments’ as I read the biblical witness to Jesus Christ, as well as convictions about Christian practice as a ‘way of life’ that is reflected in my approach to both.\textsuperscript{36}

\textit{Scripture, theology and ethics}

Nearly two decades of church leadership has revealed to me that the connection between biblical conviction and faithful practice cannot be taken for granted. Too often, biblical scholars have been content with identifying and categorising beliefs and principles, while barely recognising the

\textsuperscript{33} Taylor, \textit{A Secular Age}, 709-710.
\textsuperscript{34} Taylor, \textit{A Secular Age}, 710.
\textsuperscript{35} Taylor, \textit{A Secular Age}, 710.
\textsuperscript{36} Miroslav Volf, \textit{Captive to the Word of God: Engaging the Scriptures for Contemporary Theological Reflection} (Grand Rapids: Eerdmans, 2010), 14, 39, 41-44.
practical implications in Jesus’ life and death in the work of justice and reconciliation. Laurie Green, a grassroots theologian located in inner city Birmingham (whose experience is similar to my own in inner city Sydney) connects Jesus’ death and the work of justice as the ‘powerful powerlessness of the cross’. He explains

The cross demonstrates, first [Jesus’] total solidarity with those who are oppressed by evil; secondly, it placards and displays evil’s ugliness back to the world. Thirdly, through the cross Jesus makes God’s ultimate protest against evil; and finally and profoundly, it brings the key to unlock history. These four elements could only be achieved by the powerful powerlessness of the cross.\(^{37}\)

Green’s interpretation highlights the need for theological approaches to justice to be guided by biblical conviction and everyday practice. My research has been prompted by questions that emerged from living with, working among and ministering within communities that have sought to obey Jesus’ command to turn the other cheek as they practice restorative justice such as when a violent and troubled young man who struck their priest.\(^{38}\)

These questions provide the major focus of inquiry for each of the three parts in which this thesis is divided. First, is present restorative justice theory and practice grounded in a deficient Christology? Second, what theological contribution does Jesus’ life, death, resurrection and Spirit make to a genuinely biblical understanding of restorative justice? And third, what role can Christian individuals and communities play in restorative justice practices? To answer these questions satisfactorily demands a more

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\(^{38}\) Volf, *Captive to the Word of God*, 36 puts this succinctly ‘to receive well in reading the Bible, I must not only receive actively but I must also receive as myself.’
integrated approach to ‘Scripture’, ‘theology’ and ‘ethics’ than is usually assumed. My initial attempt to keep these three elements separated under different headings failed. This reflects, I believe, recent developments in theological interpretation of Scripture.\(^39\) I was also cautioned that a so-called ‘integrated’ approach might fail to fulfill the academic expectations of the discrete disciplines of biblical exegesis, systematic theological reflection or moral inquiry.\(^40\) Individually, however, none of these approaches would make Jesus’ injunction to ‘turn the other cheek’ intelligible for the inner city church (nor for the police, therapists, street-involved people) or the young man who assaulted me. Such enemy-love only becomes compelling as it is revealed through the life, death, resurrection and Spirit of Jesus. In effect a holistic Christology recognises that Jesus was crucified, in part, because he taught and lived a justice that was based on enemy-love. A holistic Christology reveals that the resurrection not only vindicates Jesus’ teaching, practice and death, but also

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\(^39\) Early drafts of each chapter included three subheadings for each text under consideration: Luke’s account, theological interpretation and implications for restorative justice. But I could not maintain the distinctions and they were abandoned. For recent developments in theological interpretation see Stephen E. Fowl, Theological Interpretation of Scripture (Eugene: Cascade, 2009). Daniel J. Treier, Introducing Theological Interpretation of Scripture: Recovering a Christian Practice (Grand Rapids: Baker Academic, 2008). Kevin J. Vanhoozer, et al., Dictionary for Theological Interpretation of the Bible (Grand Rapids: Baker Academic, 2005). Theological interpretations have also inspired a new style of commentary such as Stanley Hauerwas, Matthew (Grand Rapids: Brazos, 2006), 25 who illustrates this more integrated approach by insisting ‘for Matthew, Jesus has changed the world, requiring that our lives be changed if we are to live as people of the new creation. Accordingly, the gospel is not information that invites us to decide what we will take or leave. Our task is not to understand the story that Matthew tells in light of our understanding of the world. Rather, Matthew would have our understanding of the world be fully transformed as the result of our reading of his gospel. Matthew writes so that we might become followers, be disciples of Jesus. To be a Christian does not mean that we are to change the world, but rather that we must live as witnesses to the world that God has changed. We should not be surprised, therefore, if the way we live makes the change visible.’

\(^40\) Such rigid boundaries are thankfully beginning to dissolve as observed by Volf, Captive to the Word of God, 14. He observes: ‘in my judgment, the return of biblical scholars to the theological reading of the Scriptures, and the return of systematic theologians to sustained engagement with the scriptural texts - in a phrase, the return off both to theological readings of the Bible - is the most significant theological development in the last two decades.’ [emphasis retained]
reconciles enemies while the presence of the Spirit makes justice and reconciliation abiding concerns for the Christian community. Developing this holistic Christology will depend upon a reading of Luke-Acts that is especially attentive to theological interpretation of enemy-love and the practical disciplines that emerge from it. These texts will be examined in a dialogue with theological conversation partners to identify a series of reconciling practices for Christian individuals and expressive models for Christian communities.


After surveying the literature, it is apparent that a comprehensive biblical theology of restorative justice is yet to be developed. I seek to remedy this omission by examining five key passages from the Gospel of Luke and the Acts of the Apostles. The Lucan material provides the basis for a genuinely biblical vision of restorative justice and a holistic Christology. First, Luke-Acts not only comprises one-quarter of the New Testament, more significantly it encompasses the breadth of Jesus’ life, death and resurrection, as well as the role of the Spirit in the lives of Jesus’ followers and within the early Christian communities.41 Second, as Luke-Acts originates from a single author, it is well suited to contemporary literary approaches to the interpretation of Scripture.42 A variety of approaches to

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the interpretation of Luke-Acts are considered in chapter 3, all of which are employed to varying degrees in this thesis. The primary mode of interpretation will, however, be theological and practical. Third, the Christological issues raised in Luke-Acts are illustrative of what a holistic Christology can bring to restorative justice theory and practice. Fourth, Luke’s theological interests are no longer considered by theologians to be mutually exclusive of historical considerations. The passages I intend to examine from Luke-Acts include: Jesus’ teaching on enemy-love (Luke 6:27-45); Jesus’ death by and for his enemies (Luke 23:26-49); the risen Jesus’ encounter with Saul (Acts 9:1-31); and the Spirit’s activity within the reconciling community at Philippi (Acts 16:6-40). Because my focus is on enemy-love, a number of potentially significant passages have been deliberately excluded, namely: Jesus’ inaugural sermon (Luke 4:16-30); Jesus’ predictions about his death (e.g. Luke 9:21); Zacchaeus’ reparations after encountering Jesus (Luke 19:1-10); Jesus’ action in the temple (Luke 19:28-47); and the risen Jesus’ encounter with the disciples on the road to Emmaus (Luke 28:13-53). I would suggest that future examination of these

43 J D G Dunn, New Testament Theology: An Introduction (Nashville: Abingdon Press, 2009), 13 argues: ‘New Testament theologians can and should read the text critically and with historical knowledge, but they will presumably also want to read with concern to learn empathetically or even to experience afresh what it was that made the text so important and so powerful for those who first heard it, and a willingness to engage with the major theological, social, and ethical issues that they find there.’


45 Green and McKeever, Luke-Acts and New Testament Historiography, 102 summarises the debate as occurring between ‘one side [which] has tended to characterise Luke’s intentions as theological or literary to the exclusion of objective historiography. The other has inclined toward a defensive position, emphasising Luke's validity as a historian by the standards of the day and as corroborated by other ancient sources and archeological data.’ The new consensus is convincingly deployed in J D G Dunn, Beginning from Jerusalem (Grand Rapids: Eerdmans, 2009).
and other Lucan texts will only serve to strengthen the main argument of this thesis. Luke’s account is enriched, of course, by the reader’s familiarity with significant portions of the Old Testament such as the Psalms and Isaiah’s prophecies. This claim is not controversial and is simply assumed in this thesis. Interpreting Luke, however, does not finally depend on this familiarity. Relevant Old Testament texts are only cited when they clarify, strengthen or reinforce my interpretation of Luke-Acts. As for drawing on Paul, his writings contain a wealth of material that would serve the theory and practice of restorative justice. Douglas Campbell has already drawn attention to these possibilities in a number of innovative proposals. What, then is the role of contemporary ‘nonviolent’ readings of the Scriptures for restorative justice.


47 Douglas A Campbell, The Deliverance of God: An Apocalyptic Re-Reading of Justification in Paul (Grand Rapids: Eerdmans, 2009), 89-95. Campbell’s proposal has potential application within restorative justice because he argues the cross is the centre of Paul’s soteriology. He claims it is ‘noncoercive and nonviolent’ and those who participate in Christ ‘participate in his nonviolent reaction to injustice.’ Campbell therefore argues that Paul is not interested in retributive justice for those who do not participate in Christ. Paul’s attitude is especially important given his violent past, which, in Christ, he has repudiated. On this basis he repudiates vengeance by Christians.

48 At least four streams of nonviolent reading can be readily identified. The first emerges from the theology and practice of the historic peace and justice churches identified with contemporary authors such as J. Denny Weaver, The Nonviolent Atonement (Grand Rapids: Eerdmans, 2001). A second comes from the socio-historical studies of Jesus’ life by scholars such as Richard A. Horsley, Jesus and the Spiral of Violence: Popular Jewish Resistance in Roman Palestine (San Francisco: Harper & Row, 1987). Another example from this stream is Walter Wink, Jesus and Nonviolence: A Third Way (Minneapolis: Fortress, 2003). A third is influenced by the philosophy of Rene Girard, Violence and the Sacred (London: Continuum, 1988). The fourth stream, similar to the first, but grounded in ethical and practical nonviolent resistance, is typified by James W. Douglass, The Nonviolent Cross: A Theology of Revolution and Peace (New York: Macmillan, 1968).
The nonviolence debate

I need to stress that I am not directly pursuing the issue of violence in this thesis but seeking to develop a theological and practical response to wrongdoing. The distinction is crucial because studies of Jesus’ attitude to justice invariably emphasise the biblical witness to his nonviolent teaching and practice. Jesus’ commitment to nonviolence is not disputed here.

Nonviolent practice is an assumed axiom in the restorative justice movement, as well as the theologians writing in this field whose work is surveyed in chapter 2. Each identifies and endorses Jesus’ commitment to nonviolence. Instead of arguing that nonviolence is the foremost hermeneutical lens for interpreting Luke’s Jesus, I propose that Jesus’ enemy-love is a better lens for interpreting his life, death and resurrection and their consequences for Christian practice and community life. The exegesis of the five Lucan texts listed above will substantiate the priority of enemy-love over nonviolence. This is demonstrated through eschatology where a final reconciliation achieved through the risen and exalted Jesus is decisive. Let me stress my argument does not deny nonviolence but rather makes it subordinate within a larger vision of God’s reconciling work in Christ. Chapter 5 of the thesis specifically examines Luke’s account of

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Significant resources for restorative justice have emerged from this fourth stream such as Marshall, Beyond Retribution, Glen H. Stassen, Just Peacemaking: Ten Practices for Abolishing War (Cleveland: Pilgrim Press, 2004). This brief summary overlooks other nonviolent readings of the Scriptures, such as from feminist and liberation perspectives, because they lie beyond the scope of my thesis.

49 The challenge to ‘change lenses’ is a familiar one for the restorative justice movement whose foundational text is Howard Zehr, Changing Lenses: A New Focus for Crime and Justice (Scottsdale: Herald Press, 1990).
Jesus’ death in terms of this larger vision of God’s reconciliation in Christ rather than through a hermeneutic of nonviolence.50

Writing more than a generation ago in *Violence: Reflections from a Christian Perspective*, Jacques Ellul astutely observed that temperament – more than theological presuppositions – appeared to divide Christians and their perspectives on violence.51 I suspect that Ellul’s identification of a reasonable temperament that accepts violence, a suffering temperament that rejects violence and an activist temperament that restricts violence to those actions that are apparently legitimate, could be drafted directly into an interpretation of competing Christian responses to wrongdoing and injustice. Each temperament type holds assumptions about justice that must be tested. By way of example, are retributive responses to wrongdoing inherently violent?52 Alternatively, are restorative responses adequately grounded in a commitment to nonviolence? Ellul’s third temperament type – the activist – illuminates a recent debate conducted in cyberspace among theologically-astute young activists (most of whom are not professional theologians) who are equally disillusioned by ‘reasonable’ violence and ‘suffering’ nonviolence.53 My own experience resonates with

50 In chapter 5 I will show the error of forcing biblical accounts of Jesus’ death into a consciously nonviolent hermeneutic. This is evident in the restriction of Yoder’s interpretation of Jesus’ death to political reasons (by his enemies) which effectively excludes the force of its theological reasons (for his enemies).

51 Jacques Ellul, *Violence: Reflections from a Christian Perspective* (London: SCM, 1970), 23. After surveying three Christian perspectives on violence of reasonable acceptance (e.g. just war), rejection (e.g. pacifism) and legitimated-by-action (e.g. revolutionary) Ellul notices that ‘the first position appeals to reasonable (not simply conformist and hypocritical) Christians … the second position appeals to those whom I shall call ‘sufferers’ … the third position appeals to people of passionate temperament, men and women who are uncompromising.’


Ellul’s third type. I am neither persuaded by the ‘reasonableness’ of adversarial justice nor seduced by the amelioration of ‘suffering’ promised by therapeutic justice. The theological conversation partners I have chosen are integral to the position I have assumed in this continuing debate.

Theological conversation partners

I have selected one conversation partner in each of chapters 3 to 7. Their role is to guide, sharpen and critique my analysis of Luke-Acts, and to ensure my interpretation is both theological and practical as my holistic Christology takes shape. The selection of each requires some explanation and defence.

Jesus’ teaching on enemy-love in chapter 4 is presented in the context of a dialogue with the German ‘martyr, thinker, man of resistance’ Dietrich Bonhoeffer. During the last decade, as the entire corpus of his written work has been published in German and in English (including annotated versions of several key books) there has been a renewed interest in Bonhoeffer’s theology. Published biographies and documentaries of his life have helped to make some of the recently


published material accessible to a popular audience for the first time.  

Crucial for my argument is the Christological centre of his thinking, his interpretation of the Sermon on the Mount and the integration of his life with his theology.  

Bonhoeffer understood Christ as the man for others. He understood the Christian community existed for others. Bonhoeffer ultimately chose to live and die for others. Bonhoeffer’s life and theology are a parable of Jesus teaching on enemy-love. These observations orientate the exegesis of Luke 6 in the fourth chapter of this thesis.

Luke’s account of Jesus’ death in chapter 5 engages with the thought of Mennonite theologian John Howard Yoder. Yoder identified the political reasons for Jesus’ death: Jesus died by his enemies’ hand. But Yoder is not convinced that Jesus’ death was, in fact, for his enemies. As Yoder is best known for his writing on Jesus’ life, his selection as a conversation partner for my interpretation of Jesus’ death needs further clarification. First, Yoder insisted that the gospel account of Jesus’ life cannot be ignored in any Christology claiming to be biblical or holistic. Yoder identified a series of reasons for Jesus’ death based on the life Jesus lived. I have assumed the integration of Jesus’ life and death (and, subsequently, his resurrection), where each element properly interprets the other, throughout this thesis. Second, Yoder selected Luke’s gospel for the

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57 Most recently translated as Bonhoeffer, DBWE 4; DBWE 8.


59 The extent to which Yoder made the opposing mistake of allowing Jesus’ nonviolence to act as the hermeneutical lens for interpreting Jesus’ death can be assessed by the continuing debate among those who claim to be heirs of Yoder’s legacy (such as J Denny Weaver and other contemporary nonviolent accounts of Jesus’ death).
bulk of his exegetical work. This allows me to engage directly with biblical sources through the medium of Yoder’s writing. Third, several books recently released contain previously unpublished essays and articles that allow some fresh perspectives to be gained on Yoder’s thought. In these writings greater prominence is given to Yoder’s oft-repeated claim that Jesus’ teaching on enemy-love was the only ethical command that involved an imitation of God the Father. Based on Yoder’s assertion, I will contend that enemy-love rather than nonviolence is the cord that binds together Jesus’ life, death and resurrection in Luke’s theology. Consequently, Jesus’ death is not only by his enemies as Yoder articulated so clearly, his death was also for his enemies. Yoder’s account of Jesus’ death is incomplete because the meaning of his death is not exhausted by the political claim that it was by his enemies. I will demonstrate that Luke provides theological reasons for why Jesus died which defend my claim that was for his enemies as well.

The encounter between the risen Jesus and Saul on the Damascus road featured in chapter 6 engages the work of Miroslav Volf. Indeed, I will show that the Christology of Bonhoeffer and Yoder is enriched by the eschatological and social perspectives developed by Volf in his exploration of reconciliation. Volf’s vision of final reconciliation


61 See section ‘The non-violence debate’.

62 This is consistent with the theological interests of his Doktorvater Jürgen Moltmann, who might appear to be a more obvious conversation partner alongside Bonhoeffer and Yoder. Volf’s explicit focus on reconciliation, forgiveness and memory, however, are explicit topics in this thesis and are the main reason for his selection as the third dialogue partner.
anticipates the time when enemies will become friends. Social reconciliation is achieved where enmity is transcended in present relationships that are based on Christology (God-in-Christ reconciling) and eschatology (the final reconciliation). Volf’s extensive writing on justice, forgiveness and reconciliation inform other chapters in the thesis. Owing to the ecclesiological trajectory of their work, Bonhoeffer, Yoder and Volf are also drawn into my final chapter.

I will explore the writing of another two less significant conversation partners. In chapter 3, the English biblical scholar CFD Moule, whom I argue is the theological forefather of restorative justice, points to a more nuanced consideration of punishment, forgiveness and reconciliation. His colloquialism ‘forgiveness ‘uses you up’’ is a profound summary of the kind of forgiveness apparent in Luke’s parable of the Prodigal Son. In chapter 7, a brief dialogue with the Swiss New Testament scholar Eduard Schweizer will help to ensure that the work of the Spirit (depicted in Acts 16) is grounded in the life of the risen Jesus who was, Schweizer insists, essentially the parable of God.

Local neighbourhoods, schools, workplaces and churches

The questions that inspired me to write this thesis emerged from the need to deal with wrongdoing in inner city neighbourhoods. But the answers transcend these and extend to the need for some response to wrongdoing in schools, workplaces and local churches. In the pages that follow, these

63 How we are to live in the light of Christology and eschatology is central to his exploration of memory. See Miroslav Volf, The End of Memory: Remembering Rightly in a Violent World (Grand Rapids: Eerdmans, 2006).
interconnected ‘spheres of justice’ are the main concern.\textsuperscript{64} A long running debate over action at the ‘centre’ versus action at the ‘margins’ often neglects the importance of these middle spheres, as well as the middle-level leaders that occupy them. Most theological and ethical writing is aimed at either the personal and the familial or the geopolitical and international, and overlook and then exclude middle spheres which are the most natural contexts for restorative justice. Following sociologist Ray Oldenburg’s identification of the ‘third place’, American peace-builder John Paul Lederach and Ugandan theologian Emmanuel Katongole have intentionally focused on the village-neighbourhood as the site for reconciliation and justice-making.\textsuperscript{65} Furthermore, Jesus’ enemy-love and the reconciling practices of the early Christian community were largely concerned with these spheres of action. While the focus remains squarely on the public implications of restorative justice in these spheres, I invite readers to ponder the personal and political applications of my argument.

\textit{Structure of the thesis}

This thesis has three parts. Part I introduces the key questions to be answered as part of an examination of the evolution of the restorative justice movement in Australia. Despite Australia’s role in pioneering restorative justice and the production of internationally renowned research in the field, Australian theologians have not produced any substantial contributions to it.

\textsuperscript{64} Walzer, \textit{Spheres of Justice}, 35-46.
The second chapter of Part I considers the theological contributions of Christopher Marshall in New Zealand and Howard Zehr, Ched Myers and Elaine Enns in North America. Part II contains the main biblical and theological argument. It is developed over five chapters. The core theological issues associated with restorative justice are considered in the context of Luke 15, followed in subsequent chapters with an account of Jesus’ teaching (Luke 6, Bonhoeffer), Jesus’ death (Luke 22-23, Yoder) and Jesus’ risen life (Acts 9, Volf). The final chapter deals with the Spirit (Acts 16, Schweizer) and acts as a bridge to the last section. Part III outlines the practices for Christian discipleship and models for Christian community which arise from the previous chapters that summarise my argument and contain my conclusions.
Chapter 1  Restorative justice in Australia

To what extent is the Christian version of justice compatible with the vision of those advocating ‘secular’ versions of restorative justice? In the Australian context the evolution of restorative justice has not been inspired by theological reflection (in contrast to the work of Christopher D Marshall and Jim Consedine in New Zealand) nor advanced by church communities. The Australian National University’s John Braithwaite, the leading voice in restorative justice in Australia, does not believe there has been any substantial theological reflection on restorative justice within his own country.66 The progress of restorative justice in Australia provides, therefore, an excellent point of comparison with developments in Canada (the birthplace of contemporary restorative justice among representatives of the Mennonite church at Kitchener, Ontario in 1977) and in New Zealand. The theory and practice of restorative justice in Australia has essentially been guided by a secular version of justice and its practice.

The aim of this chapter is to survey the origins of the restorative justice movement in Australia. I will note the movement’s major contributions before accounting for the divergences in practice with Australia’s nearest neighbour, New Zealand, assessing the movement’s role in Australian public policy and suggesting some of the key theological issues raised by these practices.67 Notably, the development of restorative justice

66 John Braithwaite, personal communication 9 December 2009. Braithwaite confirmed that no other Australian had researched or published in the field of restorative justice from a theological perspective and remarked that it was a ‘niche’ I had found for myself.
67 Declan Roche, "Dimensions of Restorative Justice," Journal of Social Issues 62 (2006): 217 notes ‘it was a handful of programs in Australia, Canada, New Zealand, the United Kingdom, and the United States using precisely this method, usually as an alternative to formal prosecution, that were the catalyst for the emergence of the restorative justice movement in the mid-1990s.’
justice in Australia has been carried largely by academic research. In my view this opens the possibilities for the contribution of a theological perspective to its principles and creates an opportunity for Christian convictions to shape its practice. The failure to consider theological perspectives has impoverished the movement and starved it of the very things it needed to flourish.

**Australia: an early pioneer in restorative justice**

Despite the different religious and cultural origins of restorative justice in Australia and New Zealand, a surprising synergy existed in the early trials and experiments in juvenile (or youth) conferences which were later labelled as ‘restorative justice’ initiatives in both countries. The cross-fertilisation of the notion of ‘re-integrative shaming’ developed by the Australian criminologist John Braithwaite with youth law reform programs in New Zealand, and early restorative conference trials in rural New South Wales, led Declan Roche (a research associate of Braithwaite) to assert that Wagga Wagga and Aotearoa, New Zealand are entitled to claim they are the ‘birthplaces of the restorative justice movement’. From this

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68 Roche, "Dimensions of Restorative Justice," 219 explains that it was not until the 1990s that the term restorative justice ‘gained pre-eminence’, probably mainly because it was used in prominent books such as Zehr, Changing Lenses: A New Focus for Crime and Justice. See also Daniel W. Van Ness, Crime and Its Victims: What We Can Do (Downers Grove: IVP, 1986); Kathleen and Hennessey Hayes Daly, "Restorative Justice and Conferencing in Australia," Trends and Issues in Crime and Criminal Justice 186 (2001): 2 summarises the emergence of conferencing in Australia by noting the inter-relationship between Braithwaite’s theory, New Zealand conferences and the Wagga Wagga trial.


71 Roche, "Dimensions of Restorative Justice," 219 notes the historic and intense rivalry between Australia and New Zealand, most notably in sporting endeavours. It is therefore important to highlight the fact that New Zealand beat Australia to early experiments in
early trans-Tasman collaboration, quite divergent models and practices of restorative justice have evolved.

Wagga Wagga conferencing

Developed in 1991 at Wagga Wagga by police officers as an alternative to the ineffective practice of merely cautioning young offenders, the conferencing model drew initially upon procedures used in the New Zealand family group conference. Within two years the conferences rapidly evolved through the influence of Braithwaite’s theory of re-integrative shaming and the analytical work of Australian organisational psychologist David B Moore.72 During the initial trial in Wagga Wagga, the pilot approach to conferencing achieved some encouraging results.73 A key figure was Terry McConnell. He had spent 30 years with the New South Wales Police Service. McConnell first experimented with, and then refined, the ‘script’ for the experimental Wagga Wagga conferences.74 Police officers taking the role of ‘facilitator’ became central figures in the early Australian practice of restorative justice.75 South Australia became the first legal jurisdiction to

restorative justice.’ In fact, Roche goes on to show that ‘a small group of Australians inspired by that New Zealand program introduced a form of conferencing to police cautioning procedures in Wagga Wagga.’


73 See Terry O’Connell, “Restorative Justice for Police: Foundations for Change,” (paper presented at United Nations Crime Congress: Ancillary Meeting on Implementing Restorative Justice in the International Context. Vienna, 10-17 April 2000), 4-5. O’Connell cites the following data: ‘50% reduction in the number of offenders before the court compared with the previous two years; a notional reduction of around 40% in recidivism compared with the previous two years; victims participated in every conference; victim satisfaction was extremely high; compliance with conference agreements by offenders (under 18 years) was 93%; police and community satisfaction was extremely high.’


legislate for the introduction of juvenile conferencing in Australia with passage of the *Young Offenders Act* in 1993. Conferencing commenced in February 1994. In 1998, the New South Wales Corrective Services Department had decided to establish its own restorative justice unit, specialising in restorative conferences for serious crimes.

The scripted conference model

The ‘script’ developed by O’Connell revolved around a series of questions that focused attention on the impact of wrongdoing on various stakeholders including victims, offenders and their wider circle of family and friends. The questions were designed to determine what happened, what the offender was thinking about at the time of the offence, what they have thought about since offending, who had been affected by what the offender did and what the offender needed to do in order to make things right? According to the training instruction for facilitators, the script is essentially the scaffolding that enables the conference to reach a formal outcome with a written agreement. The conference is only one of several contexts in which the scripted questions might be used. The training suggests the script can be used in interviews with the victim and the offender as part of their

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78 The script formulated by Terry O’Connell is the intellectual property of *Real Justice* and accredited training is offered by *International Institute for Restorative Practices*.

79 The questions are slightly varied for victims and others impacted by the wrongdoing: what did you think when you realised what had happened, what impact has the incident had on you and others, what has been the hardest thing for you and what do you think needs to happen to make things right? If greater clarity is needed then an additional question is put to family and supporters: what do you think are the main issues?

preparation for the conference. O’Connell explains that most conferences he personally facilitated were ‘for mundane day-to-day issues in families, communities, workplaces, schools, and a variety of other settings’. 81 He now encourages practitioners to make use of the questions across a wide spectrum of restorative conversations. 82 He views these questions as belonging to a Socratic style embedded in a process whose aim is to strengthen relationships through structured dialogue that invites all participants to embark on a journey of restoration. 83 O’Connell’s claim that the ‘solid theoretical underpinning’ of John Braithwaite’s re-integrative shaming and Tomkin’s psychology of affects together offered a rigorous practice that is respectful, fair and restorative is less convincing than his other pioneering work. 84 In my view, the shame-affect theories offered a partial explanation for what O’Connell, Braithwaite and Moore observed in the early conferences. But this is not the only explanation, nor even the best one. For example, Neville Symington has explored the many ways in which

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82 O’Connell, et al., Conferencing Handbook, 84-85.
83 O’Connell, "The Origins of Restorative Conferencing," 87, 89.
84 See O’Connell, "The Origins of Restorative Conferencing," 90-91. O’Connell believes that affects provide the ‘solid theoretical underpinning (drawing on Braithwaite’s notion of re-integrative shaming and Silvan Tomkin’s psychology of affects).’ I argue Braithwaite and Tomkins theories offer one, possible explanation of the conference process rather than its ‘solid underpinnings’. David Moore, personal communication, 7 December 2009. In a conversation at the ‘Toward Restorative Justice’ conference at Sydney University, Moore admitted that he effectively ‘stumbled’ upon Nathanson’s theory of affects after reading more than 200 books as he searched for a theoretical underpinning for what he had observed in the Wagga Wagga conferencing. In David B. Moore, David Williamson’s Jack Manning Trilogy: A Study Guide (Strawberry Hill: Currency Press, 2003), 32-33.

Moore is more circumspect in reflecting ‘we had been searching in the early 1990s for a coherent theory to explain phenomena that were strikingly displayed in a Conference. What theory best explained how emotions can override logic, how habits seem based around standard emotional patterns, and how a small group of people can experience ‘emotional contagion’, with destructive consequences in some settings, but very constructive consequences in others? Among the fruits of an extensive literature search was the recently published Shame and Pride, by Philadelphia-based psychiatrist Donald Nathanson. This book provided a clear introduction to the work of Tomkins. His work, in turn, proved a hugely helpful guide both to understanding the dynamics of conferencing, and to managing situations fraught with conflict.’
honest and open conversation can be deeply restorative while remaining cautious about the traditional explanations provided by psychiatry and psychoanalysis. He concludes that although ‘the whole of psychoanalysis and psychotherapy is based upon the assumption that it is possible for one person to resolve a problem through talking to another … I am, however, in dark ignorance of why this should be so.’85 Before exploring alternative explanations for the essential role of conversation in the conference and assessing how such conversations are actually restorative, the dominant theory in Australian restorative justice – that offered by Braithwaite – deserves closer attention.

The primacy of re-integrative shaming

The importance John Braithwaite’s theory of re-integrative shaming is the second major development for restorative justice within Australia.86 The concept of re-integrative shaming is a ‘theory [which] seeks to specify the types of shaming which cause rather than prevent crime.’87 According to Braithwaite’s theory, re-integration of wrongdoers is more effective because,

\[\text{individuals are more susceptible to shaming when they are enmeshed in multiple relationships of interdependency;}\]


86 Roche, "Dimensions of Restorative Justice," 219 notes that ‘Australian academic, John Braithwaite, began to establish these developments within a theoretical framework. Drawing on his recent work on the role of informal social control in preventing crime, Braithwaite argued that these processes, which he called reintegration ceremonies, were conducive to producing the sort of shaming that was characteristic of low-crime communities: shaming directed at the act rather than the actor, and which is accompanied by efforts to reintegrate the wrongdoer (Braithwaite, 1989: Braithwaite & Mugford, 1994).’ Widespread agreement exists about the pivotal place of Braithwaite’s theory. See also the analysis by Nathan and Shadd Maruna Harris, "Shame, Shaming and Restorative Justice," in *Handbook of Restorative Justice: A Global Perspective* (ed. Tift; London: Routledge, 2008), 452.

societies shame more effectively when they are communitarian … [therefore] shaming is more pregnant with symbolic content than punishment.\textsuperscript{88}

Shame might result from a discussion between a parent and child about the impact of certain behaviour on others. ‘Re-integrative’ shaming would communicate to the child that ‘certain behaviours are morally wrong and thus builds internalised controls or conscience’.\textsuperscript{89} Braithwaite argues that the notion of shame followed by re-integration has potential benefits for many spheres of communal life beyond the formal conference process that is the centrepiece of restorative justice. He illustrates the contrasting values of a restorative approach (which he identifies as ‘Eastern’) and the typically punitive approach (which he thinks is ‘Western’) with a well-known illustration from popular culture.

Betty Latham, an American anthropologist, has shown that Japanese folk tales stress repentance and reform whereas Western folk tales stress punishment and often death. Western societies seem to give up more quickly on people than Eastern ones. In a Japanese translation of ‘Little Red Riding Hood’, for example, the wicked wolf falls on his knees and tearfully promises to mend his ways. In the Western version, the wolf is simply killed.\textsuperscript{90}

Regrettably, this polarised conception of justice between retributive and restorative categories has not helped to advance the cause of restorative justice in the Australian context. The distinction has also aided a rather simplistic application of Braithwaite’s theory where shame is either stigmatising (which equals a retributive response) or reintegrating (which equals a restorative one). While it may have had some initial benefit in contrasting standard approaches to criminal justice based in law and

\textsuperscript{88} Braithwaite, Crime, Shame and Reintegration, 72.
\textsuperscript{89} Harris, "Shame, Shaming and Restorative Justice," 453.
\textsuperscript{90} Braithwaite, Crime, Shame and Reintegration, 64 quoting American anthropologist Betty Latham, 1967.
expressed through punishment, the continuing presentation of a false
dichotomy between a retributive and a restorative response in restorative
justice circles is misleading and unhelpful, too. Further development of
Braithwaite’s initial theory as ‘shame management’ has overcome some of
these barriers. These developments have retained a theory of shame but not
explained the mechanics of shame. The effect of shame, as observed in
Australian restorative justice conferencing, was also noted in the work of
the American psychiatrist Donald Nathanson, whose theory of affects
elucidated what David Moore had seen in the Wagga Wagga conferences:

we have found a psychological theory that fits the empirical
evidence from conferences. It is a theory that provides a
sophisticated psychological counterpart to the theory of
reintegrative shaming; it helps to explain why the role of shame
in the conference is positive and constructive rather than
oppressive.

Nathanson’s theory of affects drew on the work of his mentor, Silvan
Tomkins. He thought of ‘shame’ affects as existing within a ‘family’ of
affects manifested across a range of intensities from mild embarrassment to
‘mortification’ (‘sick to death’, ‘bone-pointed’). Instead of a culturally
conditioned response, Nathanson argues the affects are an inner disturbance
of our physiology which are felt physically. They can be observed in a
conference context as well. Nathanson’s main contribution to restorative
justice is articulating the need for a balance between negative and positive
emotion, between what he describes as shame and pride and the relationship

91 Eliza Ahmed, et al., Shame Management through Reintegration (Cambridge: Cambridge
93 Donald L. Nathanson, Shame and Pride: Affect, Sex, and the Birth of the Self (New York:
between self, others and society. This balance is seen most clearly in his ‘compass of shame’.

Figure 1: Nathanson's Compass of shame

The four points of the ‘shame compass’ indicate the different kinds of behaviour observable when shame is not dealt with in a positive, meaningful and re-integrating way. In theory, the goal is not to ‘shame’ an offender into a confession or apology but to provide ‘rituals’ for re-integration. Further research has highlighted a number of deficiencies and unintended consequences from the misuse of shame in a restorative justice conference.

One preliminary conclusion is the likelihood that shame does function as an important gateway into the kinds of conversational practices that are critical for an effective conference with desired outcomes. The unfettered expression of strong and previously restrained emotion would appear to clear the epistemological blockages that keep a participant blind to other possibilities, such as other ways of remembering, seeing, and acting in relationship to the wrongdoing and those impacted directly by it. Affect ‘modulation’ of participants should not function as the goal of the restorative justice conference. Although it may serve as an important step towards new possibilities that come from shared meaning, greater moral

94 Braithwaite, Crime, Shame and Reintegration, 54-68.
imagination and heightened courage. Through the conference script, victims and wrongdoers are enabled to remember truthfully and listen patiently. This, in turn, leads to spontaneous and unexpected gains for all participants such as seeing themselves, each other and the wrongdoing in a new light. In the best outcome there is also forgiveness and the desire to be reconciled. I would contend that it is not simply the expression of strong emotion (‘affect modulation’) that facilitates these outcomes, although they can usually be observed as part of the process. The kinds of conversations that facilitate shared meanings and awaken the moral and spiritual imagination are not solely dependent on either scripts or ‘affect modulation’. Before I propose an alternate theoretical underpinning for such conversation, a theological analysis of shame and shaming will open some space for my proposal.

Theological perspectives on shame and shaming

Braithwaite’s theory of re-integrative shaming was devised after observing Japanese ways of dealing with crime where it produced much better outcomes than stigmatising shame. Advocates of restorative justice beyond Australia point out that the original intention of the ‘penitentiaries’ was for wrongdoers to reflect on their actions and, in the solitude of incarceration, to embrace ‘penitence’ (or repentance). This goal is completely absent from contemporary penal structures and processes. Conversely, restorative justice practice in Australia does not adequately account for the ways in which diversionary or pre-sentencing conferences can or might provide for an offender’s movement towards penitence or repentance. Due to Braithwaite’s influence the focus is on the shame that leads to reintegration whereas a theological analysis is more interested in repentance leading to forgiveness.
and reconciliation. And yet despite its widespread acceptance, Braithwaite’s description of why and how reconciliation and forgiveness occur remains vague. This has been noted by the English practical theologian Stephen Pattison who observes

Braithwaite likens effective shaming to the notion of loving the sin and hating the sinner as practiced in families and religious communities. However, it is very difficult to reach and maintain a balance here outside the context of very intimate relationships.\(^{95}\)

In practice, the primary focus of Braithwaite’s reintegration is for the offender to repair relationships with his or her family and community. Reconciliation with the victim and the victim’s family and community becomes secondary, even marginal, to the offender’s concerns.\(^{96}\) In other words, suggestions that forgiveness and reconciliation cannot be guaranteed, that they simply aren’t reliable enough or do not always embody realistic outcomes, is not just a matter of empirical observation. It touches on the theoretical underpinnings of restorative justice practice.\(^{97}\)

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\(^{96}\) This conclusion is supported by the findings of Kathy Daly and her study of South Australia where victims and offenders came together no more than 60 per cent of the time. For those conferences that resulted in a victim and offender meeting, there was little thought or preparation prior to the encounter. Daly concludes: ‘a telling indicator was [the offender’s] response to the question, ‘Before the conference, did you think about what you wanted to do or to say to the victim?’ Over half (53 per cent) said ‘No, not at all.’ These results suggest that when young offenders enter the conference room, they are concerned with the penalty they may receive. How they relate to victims is relatively much less important. From the victim’s perspective, ‘just 27 per cent believed that the main reason that YP (offender) apologised was because he/she was really sorry. It is not surprising, then, that half the victims said the YP’s apology did not at all help to repair the harm.’ See further Daly, "Mind the Gap: Restorative Justice in Theory and Practice," 222-223.

\(^{97}\) Daly, "Mind the Gap: Restorative Justice in Theory and Practice," 234 is more explicit than most, labeling restorative justice ideals and principles as ‘the nirvana story of restorative justice [which] helps us to imagine what is possible, but it should not be used as the benchmark for what is practical and achievable. The nirvana story assumes that people are ready and able to resolve disputes, to repair harms, to feel contrite, and perhaps to forgive others when they may net be ready and able to do any of these things at all. It holds out the promise that these things should happen most of the time when research suggests that these things can occur some of the time.’ [emphasis retained]
The difference between therapeutic reintegration and theological reconciliation reflects the limited scope of therapy where, according to Pembroke, ‘the therapist cannot teach the client the way of responsibility, healing and reconciliation’. For example, in the Eden narratives in Scripture, the shame of Adam and Eve is ‘clothed’ or ‘covered over’ Gen. 3:7, 21; cf. Gen. 2:25 where Adam and Eve were originally ‘naked and unashamed’.

Theology clearly offers another approach to the problem of shame. The practice of restorative justice will be deepened and extended if and when practitioners listen to other approaches to ‘shame management’, such as the psychoanalytic, the sociological and the pastoral-theological. In the next chapter I develop the argument that therapeutic underpinnings now dominate, and consequently limit, the restorative justice movement.

From my observation Braithwaite is more sensitive to the possibility that restorative justice might benefit from a theological dimension than many other theorists. With almost the same language as that used by Charles Taylor (in the face of wrong-doing ‘somehow we are all to blame’), Braithwaite argues that the best way for a reconciliation to occur is by means of a mutual apology, even ‘where a party who is relatively un-blameworthy will find some way in which he contributed to the conflict to

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99 Pattison, *Shame: Theory, Therapy, Theology*, 40-41 also finds shame and exposure closely linked in etymology and common experience, ‘the painful personal exposure that inheres in shame and the desire to escape from or avoid it have meant that, until recently, few sufferers or investigators have examined shame closely and directly.’

100 Pattison, *Shame: Theory, Therapy, Theology*, 43-64 provides a comprehensive overview of how different academic disciplines interpret shame. Pembroke, *The Art of Listening*, 150 comes to the devastating conclusion in relation to the approach of Tomkins and Nathanson that ‘the constraints of affect theory have led its adherents to ignore compelling evidence provided in the substantial body of empirical and clinical studies that shame and guilt are distinct emotions.’
form the basis of his apology. The practical steps involved in mutual apology and reconciliation are not described by Braithwaite. They are, nonetheless, essential moments in securing a restorative and just outcome. I will develop this foundational insight, expressed by Taylor in the vague language of ‘somehow’ and by Braithwaite as ‘some way’, in Part II where Jesus’ life, death, resurrection and presence in the Spirit act as the basis for imagination, conversation and embodied action. For example, when Jesus summons his followers to love their enemies, this demand has far less to do with developing the appropriate affective disposition towards them (as much as this might help). It has far more to do with the possibility that enemies be re-imagined and then regarded as neighbours, guests and perhaps even friends. This approach is consistent with recent neurological discoveries related to the plasticity of the brain (compared to a theory of affects), and the key role of imagination in moral development and social relationships.

Significantly, neither Braithwaite’s nor Nathanson’s theory mentions the critical role of imagination for victims, offenders or supporters in seeing themselves and their actions in a different and perhaps liberating

101 Braithwaite, Crime, Shame and Reintegration, 64.
102 By way of example, in Volf’s eschatological framing of reconciliation and forgiveness even the victim’s memory of wrongdoing ‘does not come to mind’. See further Volf, The End of Memory, 148-151 who asks whether ‘the future non-remembrance of wrongs suffered inform the way in which we should live in the here and now? By showing how reconciliation reaches completion: a wrongdoing is both condemned and forgiven; the wrongdoer’s guilt is canceled; through the gift of non remembrance, the wrongdoer is transposed to a state untainted by the wrongdoing; and bound in a communion of love, both the wronged and the wrongdoer rejoice in their renewed relationship. In the here and now this rarely happens - and for the most part should not happen. In a world marred by evil, the memory of wrongdoing is needed mainly as an instrument of justice and as a shield against injustice.’
103 Unfortunately these research findings lie far beyond the scope of this inquiry. In chapters 8 and 9 I discuss the role of imagination in the work of restorative justice and the contribution of Lederach, The Moral Imagination.
The ability of conversation to open new possibilities is one of the distinctive features of the conference approach that does not appear to have been satisfactorily explained. A more thorough interaction with the growing literature on dialogue and conversation provides an alternate and potentially more ‘solid theoretical underpinning’ because it is concerned to help relationships flourish.

A different theoretical underpinning for restorative conversations

Conversations have the ability to create new possibilities as people tap into another level of awareness, a shift in their thinking, actions and relationships is engendered. The literature that has developed over the last decade concerning dialogue and conversation is indebted to the British physicist and thinker David Bohm for these insights. He was interested in the connections between dialogue and thought. He looked at how participation in dialogue could cause people to suspend some assumptions, create proprioception in their thinking (‘to create a mirror so that you can see the results of your thought’) and through this collective participation and thought, discover new meanings. Participants of such a conversation might even find that new cultures emerge. Bohm’s insights have been

104 Neil Pembroke, *The Art of Listening: Dialogue, Shame, and Pastoral Care* (London T&T Clark, 2002), 149-150, 157 is critical of both Tomkins’ and Nathanson’s ‘dissolution of the guilt experience into shame affect’ and argues for a more central role for the moral imagination.

105 Although there has been a renewed interest in the relationship between dialogue and transformation the idea itself is not new. An example is found in the writing of Paul Tournier, *The Meaning of Persons* (New York: Harper & Brothers, 1957), 232 who discovered a generation earlier through his clinical practice that ‘at the creative moment of dialogue with God or with another person, I in fact experience a double certainty: that of ‘discovering’ myself, and also that of ‘changing’. I find myself to be different from what I thought I was.’


developed within a range of disciplines and taken further by the Harvard Negotiation Project.\textsuperscript{108} None of these insights, however, are grounded in a theory of affects nor do they assign any importance to shame and shaming. The literature is focused elsewhere, mainly on a range of key characteristics undergirding these kinds of conversations.\textsuperscript{109} The first characteristic is the suspension of judgment. This is the attitude that makes settled ideas and fixed judgments accessible to questioning and observation.\textsuperscript{110} The second is the identification and suspension of assumptions. This was a central thesis in the work of Continental philosopher Hans-Georg Gadamer who thought that in conversation people are taken beyond their assumptions. It is through conversation with other people, he argued, that assumptions can be unearthed.\textsuperscript{111} The third characteristic is listening. Three levels of listening within conversation can be identified: listening to others, listening to self, and listening for collective themes. Although listening for collective meaning is rarely practiced, it can lead to unexpected revelations and prompt new questions. Gadamer describes this as giving attention to ‘the subject matter’ because such ‘listening for collective shared meaning informs us about who we are together. Listening for emergent threads of

\textsuperscript{108} For example Douglas Stone, \textit{et al.}, \textit{Difficult Conversations: How to Discuss What Matters Most} (New York: Viking, 1999), 23-82 which is remarkably similar to the \textit{Real Justice} script by encouraging ‘what happened?’ conversations that explore stories instead of arguing about who is right; disentangle intent from impact by suspending assumptions about the other party; and abandoning blame.


\textsuperscript{110} This is fundamental to dialogue. Without a strong intention to focus on its practice, conversation remain superficial or turns into a battleground.

\textsuperscript{111} Hans Georg Gadamer, \textit{Truth and Method} (New York: Crossroad, 1989), 265-307, 362-279 from which, he concludes, is the ‘hermeneutical priority of the question’.
meaning speaks to us of who we are becoming together’. The fourth characteristic is inquiry and reflection. The asking of questions and ‘holding an attitude of curiosity’ opens the door for new insights to emerge. Reflection can be understood as the space in which the door is held open long enough for new perceptions to emerge. Central to this kind of inquiry is the unasked question. This is especially true in a group context where questions such as ‘what questions have we not been asking?’ or ‘what have we not focused attention on and what might be different if we included it in our conversation?’ can have a powerful effect. Ellinor and Gerard have called the fruits of inquiry and reflection ‘spiralling’ (which is not to be confused with ‘going around in circles’).

Spiralling is the product of the combined collective intelligence of those involved. But this collective intelligence is not available to us until we begin to inquire with curiosity, pause and reflect, and allow for the connections that will reveal new ways of approaching the issue at hand.

I would contend that these are characteristics of a ‘restorative’ conversation when conducted formally as a restorative justice conference. These alternate theoretical underpinnings are just as rigorous and just as important as those offered by Braithwaite and Nathanson. By shifting the focus to imagination, meaning and the spirit within a group (instead of affects and shame), the practice attains a more genuinely Socratic and relational approach. It also promises better conversational practices because it is grounded in the

113 Ellinor and Gerard, Dialogue, 120.
114 See the relevant analysis by Stephen Miller, Conversation: A History of a Declining Art (New Haven: Yale University Press, 2006). A less comprehensive but thoroughly engaging approach to the historical and relational dimensions of conversation was offered in a series of BBC talks by Theodore Zeldin, Conversation (Mahwah: Hidden Spring, 2000).
theological reasoning that good conversation is marked by wise listening and honest speaking. Both benefit the community.\textsuperscript{115}

If restorative conversations are less concerned with the cathartic personal experience of having one’s feelings shared and understood by others, and more concerned with the awakening of imagination where new horizons are opened and self-understanding is expanded, what might be the theological implications? In brief, the dominant therapeutic outlook, where participants are understood by each other through a conversation grounded in a theory of affects (where the goals are free expression of emotion leading to resolution and closure), is replaced with a theological outlook where imagination, conversation and action are all grounded in the life and death of Jesus. The praxis of Jesus allows individuals and communities to discover meaning in the activities of naming and forgiving wrongdoing, presupposing the presence of a community committed to reconciliation and justice.

Research: the dominance of the academy in Australian restorative justice

The contribution of Braithwaite’s theory of re-integrative shaming together with the scripted conferences staged in Wagga Wagga have occupied a significant, albeit controversial, role in the development of restorative justice in Australia and beyond. The third noteworthy Australian contribution to the restorative justice movement is the quantity and quality of academic research activity that has provided momentum for conferencing, scripts and re-integrative shaming to be used in a range of

\textsuperscript{115} Elsewhere I have discussed the theological significance of conversation in Geoff Broughton, "Authentic Dialogue: Towards a Practical Theology of Conversation" (ThM thesis, Fuller Theological Seminary, 1998).
contexts. Alongside data showing that restorative justice was beneficial to victims and offenders, Australian researchers noticed that a significant gap had already emerged between its theory and practice.

**The divide between theory and practice**

When Kathy Daly, Professor of Criminology and Criminal Justice at Griffith University, began observing the conference process (described above), listened to participants, attended professional development sessions on restorative justice and read more about its claims, she became conscious of a worrying gap between the findings from ‘research in the field’ and ‘what the advocates and critics were saying about restorative justice.’ Daly compared some of the key differences between what was said and done within the New Zealand model of family conferencing:

The Wagga Wagga model differs from the New Zealand model in two ways: it is facilitated by a police officer, and it draws heavily on the theory of re-integrative shaming. Practitioners in jurisdictions with the New Zealand model are more likely to say that re-integrative shaming is one of several theories structuring their practice, or that restorative justice, not re-integrative shaming, is the theory structuring their practice.116

The pioneering contributions of Australians – the scripted conference facilitated by police and re-integrative shaming – compared unfavourably with the continuing development of restorative justice in New Zealand which was integrated more fully into public policy. I share some of Daly’s concern with Australian over-reliance on the descriptive theory of re-integrative shaming, especially when it is deemed integral for the ‘success’ of a conference. This inspired Daly to ‘tell the real story … by analysing four myths that feature in advocates’ stories and claims’. These myths were:

116 Daly, "Restorative Justice and Conferencing in Australia," 1.
restorative justice is the opposite of retributive justice, restorative justice uses Indigenous justice practices and was the dominant form of pre-modern justice, restorative justice is a ‘care’ (or feminine) response to crime in comparison to a ‘justice’ (or masculine) response and restorative justice can be expected to produce major changes in people.\textsuperscript{117} Largely due to Daly’s research work, the perceived ‘gap’ between the ‘ideal and reality’ of restorative justice has received sustained attention in Australia.\textsuperscript{118} Daly has continued to focus her research on the a gap between the ideal and the reality of conferences. The stance of empathy and openness to the ‘other’, the expectation of being able to speak and reflect on one’s actions, and the presence of new justice norms (or language) emphasising ‘repair’ - all of these are novel cultural elements for most participants. These elements and expectations may be even harder to grasp for adolescent than adult participants.\textsuperscript{119}

Others have taken up Daly’s general theme. The actual impact of participating in a restorative justice conference rather than the benefits supposed by the theory has been the particular focus of Australian criminologist Heather Strang, a leading international researcher of restorative justice practice originally based in the Centre for Restorative Justice at the Australian National University.

The impact on victims and families

The overall well-being of the victims of crime, violation and wrongdoing is of paramount importance to the restorative justice movement. The priority of victims is due to their common experience as the ‘forgotten parties in

\textsuperscript{118} Of course, this has not taken place in isolation. It follows a similar line of interrogation to that of Theo Gavrielides, \textit{Restorative Justice Theory and Practice: Addressing the Discrepancy} (Helsinki: Heuni, 2007).
\textsuperscript{119} Daly, "Mind the Gap: Restorative Justice in Theory and Practice," 234 and concludes that ‘for the young people, repairing their reputation to others, including promises of not getting into trouble again, are what's most important to accomplish at the conference. For victims, telling the story of the offence and its impact, along with being reassured by the offender that it won't happen again, are what's most important.’

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criminal justice’.\textsuperscript{120} Braithwaite’s work on the successful re-integration of offenders is complemented by Strang’s examination of the impacts of crime and violation on victims and their families. She has focused on offering a ‘victim of crime’ perspective in her advocacy of restorative justice.

According to Strang, the empirical literature shows clearly what victims want: a less formal process where their views count, more information about the processing and outcome of their cases, more participation in the handling of their cases, to be treated respectfully and fairly, material and emotional restoration, and finally, they want an apology.\textsuperscript{121} Strang’s research confirms Braithwaite’s view that one major goal of face-to-face restorative justice is to heal the psychological harm suffered by victims of crime. Randomised controlled trials demonstrate the nature of this harm and the extent of the actual benefit.\textsuperscript{122} These possibilities are even more clearly demonstrated, albeit less rigorously, through retrospective interviewing of victims who are asked to speak about their feelings before and after the restorative justice conference took place. Strang and some of her colleagues reviewed the responses of over 200 victims who participated in trials at Canberra and at various locations in the United Kingdom. The data was collected after conferences where victims and offenders were able to meet face-to-face (with supporters and a facilitator) to discuss the wrongdoing and how the harm inflicted could be mended. The positive benefits were recorded by Strang and interpreted through the lens of social science. She explained:


\textsuperscript{121} Strang, \textit{Repair or Revenge}, 2.

[two] theories from beyond criminology offer plausible rationales for predicting positive outcomes from restorative justice for participating crime victims. In psychology, cognitive behavioral therapy (CBT) research suggests that victims can benefit from extended ‘deconditioning’ discussions of their prior traumas held in safe and controlled environments. In sociology, the theory of ‘interaction ritual’ (IR) predicts that the emotional energy arising from a successful restorative justice conference will have positive benefits for victims by restoring their identity and sense of self-worth.\(^\text{123}\)

Despite substantial variations in offence types, social contexts, nation and race, before-after changes revealed by qualitative and quantitative data all point in the same beneficial direction.

Strang conducted highly focused research in the United Kingdom which was published as \textit{Restorative Justice: The Evidence} in 2007.\(^\text{124}\) Examining the available (and reliable) evidence from 36 international tests, her study focused on two major claims. The first concerned procedures; the second related to effectiveness. The procedural claim she examined was the perception of victims and offenders that restorative justice was a more humane and respectful way of handling crime than conventional (criminal) justice. The effectiveness claim she wanted to test was the contention that restorative justice is better than criminal justice in producing the outcomes that the public wanted in terms of ‘real’ justice: less repeat offending, more repair of harm to victims, fewer crimes of vengeance being committed by victims, more reconciliation and social bonding among families and friends affected by crime, and more offences handled expeditiously and fairly.\(^\text{125}\)

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Despite the importance of her most recent findings which confirmed its value, it is Strang’s earlier work in developing evidence-based practice for the developing field of restorative justice known as the Re-Integrative Shaming Experiments (RISE) that attracted most international attention and acclaim. The RISE project was based in the Australian Capital Territory during 1995. It examined the practice of conferencing in Canberra, noting that it was based on the Wagga Wagga model of conferences facilitated by police. Using an experimental research process which randomly assigned cases to either a conference or a court hearing, RISE compared the effectiveness of each procedure for certain kinds of offences. In the fifteen years since the project was held, the data has been scrutinised from every possible angle, including ‘Performance Studies’, which have recently added their academic expertise to the ever-expanding analysis. Regrettably this large body of data and analysis has had little influence on public policy in Australia.

Preliminary assessment: the current policy and practice in Australia

Given Australia’s pioneering role in the development and promotion of leading research into its theory and application, the current profile of restorative justice is surprisingly low. Indeed, the Australian criminologist Harry Blagg has asked: was it ‘a good idea whose time has gone’?\(^{126}\) Across the general populace, restorative justice is barely visible and poorly understood. In most Australian legal jurisdictions, restorative justice is only used in diversionary settings and in pre-sentence reporting. It is available to a very small percentage of those in prison, sometimes as a way of securing

an early parole. Among Indigenous people, restorative justice has produced mixed outcomes. Significantly, I have been unable to discover any Australian research or published material on restorative justice offering a distinctly theological perspective. Despite similar origins, the situation across the Tasman is quite different. What are some of the contributing factors leading to those differences?

_A brief comparison: family group conferencing in New Zealand_

In contrast to Australia, where the restorative justice movement appears to be moribund, the movement continues to flourish in New Zealand, finding fertile ground among the Maori for whom culture is bound to the long struggle to obtain justice and inclusion. Local practitioners claim that restorative approaches to justice in New Zealand have been more effective because of a cultural construal known as ‘the Pacific way’ which includes several characteristics. The first is the influence of New Zealand’s liberal,

127 Blagg, *Crime, Aboriginality and the Decolonisation of Justice*, 80-81 notes that, ‘the Wagga Wagga model has become a template for forms of youth conferencing globally. Its attraction - principally to justice authorities and the police - lies in the fact that it is heavily 'scripted', is run and organised by the police as a form of 'cautioning plus' (a kind of police caution with attitude), and operates on the lines of Braithwaite's theory of reintegrative shaming … the Wagga model, however, has not become the dominant force in Australian youth conferencing, being used only in the ACT, Northern Territory and, occasionally, in Tasmania.’


129 The only possible inclusion is the descriptive work of Catholic priest Pat Howley, *Breaking Spears and Mending Hearts: Peacemakers and Restorative Justice in Bougainville* (Annandale: Federation Press, 2002). Howley’s work qualifies as Australian Christian perspective, but does not provide a strictly theological perspective on restorative justice.


131 Although I recognise the contribution of many smaller, neighbouring islands in the Pacific to the development of Restorative justice, particularly some of the restorative emphasis within their cultures, the following observations are limited developments on New Zealand’ two main Islands. Jim Consedine, *Restorative Justice: Healing the Effects of Crime* (Lyttelton: Ploughshares Publications, 1995), 11 notes ‘in pre-colonial New Zealand, Maori had a fully integrated system of restorative justice that used Maori legal processes.
egalitarian traditions in public policy. This is very evident in the development of formal, restorative practices in juvenile justice. Second, Australia’s ‘moral community’ has been weakened by Western individualism while its Indigenous law and culture has disintegrated further than in New Zealand where Maori law and custom have better resisted Western pressures. Kathy Daly thinks there is a ‘moral maturity’ required to participate effectively in a restorative justice conference. This maturity is lacking in young people (so, Daly) and in highly individualised cultures.

Considering the historically low and declining levels of participation in institutional religion in Australia, the celebration of the ‘larrikin’ image in popular culture, and the extent of much unfinished business between Indigenous people and those of European descent, the weakness of Australia’s ‘moral community’ stands in stark contrast to its neighbour New Zealand. The role of ‘Indigenous’ law and custom remains a divisive issue in Australia. In contrast, pioneering New Zealand theorists, such as Father Jim Consedine, are convinced that ‘in pre-colonial New Zealand, Maori had a fully integrated system of restorative justice that used Maori

Many argue that the Treaty of Waitangi guaranteed its continuance. It was the traditional philosophy of Pacific nations such as Tonga, Fiji and Samoa: restorative justice was 'the Pacific way'. See also Norman Arkwright, "Restorative Justice in the Solomon Islands," in A Kind of Mending: Restorative Justice in the Pacific Islands (eds. Dinnen, et al.; Canberra: Pandanus Books, 2003).


For the most recent analysis see Tom Frame, Losing My Religion: Unbelief in Australia (Sydney: University NSW Press, 2009).


Australia’s Indigenous people have occupied marginal to non-existent roles in white Australian history, pop culture, sport, politics, business and church life. In contrast, the New Zealand Maori have featured prominently in all these spheres and are an important part of the national consciousness.
More recently, Maxwell and Morris have claimed a more nuanced understanding of the role of Maori law and noted that ‘a distinction must be drawn between a system that attempts to reestablish the Indigenous model of pre-European times and a modern system of justice which is culturally appropriate.’ Compared to poor perceptions and its low profile in Australia, ‘the growing development of restorative practice and values in many aspects of life in New Zealand today’ highlights the importance of a mature host culture for its effectiveness and integration.

Despite the initial successes of the Wagga Wagga conferences and the changes made in legislation to promote restorative practices in juvenile justice, Father Jim Consedine was sanguine about the prospects for the future evolution of restorative justice in the state of New South Wales (NSW) when writing in 1993.

Under the Young Offenders Act 1997, police have been given clear guidelines to use their discretion regarding interventions, which range from street warnings through cautions to youth conferences or ever court. Sadly, certain crimes are excluded from the process. These include sex crimes, those involving a death, serious drug offences, serial offenders, breach of violence orders, many traffic offences and most minor drug offences. These exclusions will, judging by the New Zealand experience, severely limit the effectiveness of the new processes. Unlike New Zealand, NSW did not close any of its

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137 Consedine, *Restorative Justice: Healing the Effects of Crime*, 11, 88. Consedine maintains the distinction between Maori and Westerns forms of justice throughout his book by arguing ‘the Maori concept [of justice] was built on the most fundamental of all Maori values - that we are all part of one another. The *Pakeha* concept was built on the notion that each person is individually responsible for his or her own plight. Maori found imprisonment abhorrent, whereas *Pakeha* took it to be the norm.’


139 Gabrielle M. Maxwell, “The Defining Features of a Restorative Justice Approach to Conflict,” in *Restorative Justice and Practices in New Zealand: Towards a Restorative Society* (eds. Maxwell and Liu; Wellington: Institute of Policy Studies, 2007), 15. Maxwell argues, ‘along with many others in the restorative justice movement, I do not believe that these [restorative] characteristics belong only in the justice sphere. They can be used to benchmark the effectiveness of any set of practices and any institution that deals with people where there can be conflict and the need to reintegrate a social group.’ I explore the Christian community as a ‘host culture’ for restorative justice in chapter 9.
juvenile detention centres when the act was introduced, nor did the government replace existing legislation ... such actions may yet prove to be fatal flaws that prevent the act from succeeding fully. 140

Consedine also draws attention to the very limited changes that were made in public policy through legislation as another central flaw in the implementation of restorative justice in Australia. Compared to New Zealand, where community leaders such as judges and priests have been vigorous advocates for legislative amendments, the most ardent in Australia have been academic researchers, many of whom had no political influence or public voice. Former policeman Terry O’Connell argues that many inside the police and criminal justice system still remain deeply suspicious of restorative justice reforms emanating from university-based academics. 141

Perhaps the most significant difference between the development of restorative justice in Australia and New Zealand is its overall integration within public policy. New Zealand led the world with The Children, Young Persons, and Their Families Act 1989 in which the New Zealand youth justice system incorporated a number of innovative strategies: the rights and needs of Indigenous people were to be taken into account; families were to be central to all the decision-making processes involving their children; young people themselves were to have a say in how their offending should be responded to; victims were to be given a role in negotiations over possible penalties for juvenile offenders; and the model of decision-making advocated was to be by group consensus. 142

140 Consedine, Restorative Justice: Healing the Effects of Crime, 48. [emphasis added]
The New Zealand legislation reflects high interdependence in social relationships and a highly developed communitarian spirit. Both elements have been identified by Braithwaite as characteristics that foster shaming which is re-integrative.\textsuperscript{143} Maxwell rightly identifies the real work of restorative justice as ensuring ‘effective justice outcomes [which] need not only to involve but also to build these communities and find ways of strengthening the relationships within them’, instead of merely pandering to romantic ideals about community.\textsuperscript{144} It is not surprising, therefore, that ‘the family group conference lies at the heart of the New Zealand procedures.’\textsuperscript{145}

The conduct of the Family Group Conference (FGC) within the New Zealand juvenile justice system might be considered the world’s ‘best practice’ of restorative justice operating in parallel with the criminal justice. It has been comprehensively analysed and critiqued in the extant

\textsuperscript{143} Braithwaite, \textit{Crime, Shame and Reintegration}, 62. Braithwaite identifies the importance of his theory for criminology in concluding, ’all of this means two things: 1. Reintegrative shaming is superior to stigmatisation because it minimises risks of pushing those shamed into criminal subcultures, and because social disapproval is more effective when embedded in relationships overwhelmingly characterised by social approval. 2. Whether disintegrative shaming is superior to no shaming at all is uncertain, depending largely on the density of criminal subcultures in the society.’ A number of questions beyond the scope of this thesis emerge from these observations that deserve further exploration: how influential was Maori culture in shaping civil society so that values of interdependency and a communitarian spirit became codified in legislation? Are interdependency and a communitarian spirit attractive merely because they are ‘culturally appropriate’? Are these sufficiently characteristic of modern justice, or the ‘way of life’ in twenty-first century democracies? How can imported features be considered culturally appropriate?

\textsuperscript{144} Maxwell, ”The Defining Features of a Restorative Justice Approach to Conflict,” 17.

\textsuperscript{145} Gabrielle M. Maxwell, ”The Youth Justice System in New Zealand: Restorative Justice Delivered through the Family Group Conference,” in \textit{Restorative Justice and Practices in New Zealand: Towards a Restorative Society} (eds. Maxwell and Liu; Wellington: Institute of Policy Studies 2007), 248. The FGC is used ‘both as another means of avoiding prosecution and also as a means of determining how young people who commit offences should be dealt with. This means that the police cannot refer young offenders who have not been arrested to the Youth Court without first having a family group conference, and most of these conferences end in an agreement which does not involve a court appearance. Similarly, where a young person is arrested and brought before the court for alleged offending (other than murder, manslaughter, or a traffic offence not punishable by imprisonment), the court must adjourn the matter to enable a family group conference to be held if there has not been a denial or if there has been a finding of guilt.’
literature and attracted wide praise.\textsuperscript{146} Scholars beyond New Zealand have tried to identify the reason for its success. MacRae and Zehr identified eight characteristics of the process integral to its effectiveness. Juvenile justice in New Zealand is described as a ‘restorative’ process because it is intended for serious offences, it is the hub of the entire system, it is governed by principles, it deals with the entire outcome, it uses consensus decision-making, it is family-centered, it offers a family caucus and it aims at cultural adaptability and appropriateness.\textsuperscript{147} MacRae and Zehr claim the FGC is distinctive because,


\begin{quote}
unlike restorative justice programs attached to justice systems elsewhere, this group together formulates the entire outcome or disposition, not just restitution … importantly and remarkably - they do this by consensus of all the participants, not by a mere majority or the decree of an official.\textsuperscript{148}
\end{quote}

Additional reasons for New Zealand enjoying the world’s best practice in restorative justice include, but are not limited to, its advocacy within the judiciary,\textsuperscript{149} the existence of distinctively theological contributions by practitioners such as Jim Consedine,\textsuperscript{150} Christopher D Marshall\textsuperscript{151} and Kim

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\textsuperscript{146} For example, see Maxwell, "The Youth Justice System in New Zealand: Restorative Justice Delivered through the Family Group Conference." Also Allan MacRae and Howard Zehr, \textit{The Little Book of Family Group Conference New Zealand Style} (ed. Zehr; Intercourse: Good Books, 2004).
\textsuperscript{147} MacRae and Zehr, \textit{The Little Book of Family Group Conference New Zealand Style}, 12.
\textsuperscript{148} MacRae and Zehr, \textit{The Little Book of Family Group Conference New Zealand Style}, 12.
\textsuperscript{150} Consedine, \textit{Restorative Justice: Healing the Effects of Crime}.
\textsuperscript{151} Especially Marshall, \textit{Beyond Retribution}. The theological contribution of Marshall is explored in the next chapter.
\end{flushright}
Workman,152 and the overall shape of New Zealand’s family conference model.

The future of restorative justice in Australia looks fairly bleak when compared to recent progress in New Zealand. A range of new opportunities for restorative justice beyond the criminal justice system are, however, emerging where Australia is again pioneering restorative justice approaches in schools, workplaces and in regulations. It is perhaps unremarkable that three of the pioneers from the Wagga Wagga conferences are involved. This chapter will close with a consideration of the ‘restorative practices’ being promoted by Terry O’Connell and the ‘relationship management’ model presented by David B Moore. They are being trialled in schools and as a method of bringing about change in the workplace.153

Restorative practices in schools (Terry O’Connell)

The implementation of restorative justice in school settings is an attempt to depict restorative justice as a way of life where holistic and relational practices are integrated throughout a discreet sub-community.

153 David B. Moore, "Primed: Dramatising 'How Things Are'," (paper presented at Towards Restorative Justice. Sydney University, 8 December 2009). In the conference abstract, Moore says his ‘method called ‘realplay’. In workshops with groups of organisational staff, experienced professional actors re-enact typical scenes from the life of the organisation. The actors follow deeply researched scripts written especially for the organisation. The audience – all of whom are organisational staff – then question the actors (who remain in role). In effect, participants are asking questions of themselves and their colleagues. This exercise, where staff first observe then question ‘themselves’, allows staff to identify and analyse key issues, while being emotionally engaged. This is a paradoxical state of ‘detached engagement’. Workplace scenes that ring true help connect people’s thoughts and feelings. The scenes create a ‘safety net’ so that staff can identify actionable solutions that they might previously not have been prepared to suggest, or that might not even have even crossed their minds.’
Based on the same underlying theories and questions developed for Wagga Wagga conferences, restorative conversations in ‘circles’ are made normative for students, staff and the school’s leadership. The students and teachers sit regularly in circles for the ‘Restorative conversations’ practicing the craft of ‘opening up and talking about it’. This approach ideally permeates all relationships within the school and is not restricted for use as a ‘bullying policy’ or the management of other ‘critical incidents’. The change in terminology from ‘restorative justice’ to ‘restorative practices’ is significant. In my view it signals the dominant role of therapeutic theories and techniques. While the context has changed from youth conferencing to classroom conversations, the issues of scripted questions, the role of shame and the theoretical underpinnings of the restorative conversations are unchanged and have significantly shaped the international development of restorative practices in schools.


Transforming conflict in the workplace (David B Moore)

Another sphere is the contribution of restorative justice to conflict management in industry, community and the public sectors in Australia. Moore is representative of a number of Australian theorists advocating the broadening of its application and developing different models for wider contexts. His own published works on restorative justice include The Jack Manning Trilogy: A Study Guide (2003) and Transforming Conflict (2000).

Moore explains this move to workplace relations in the following terms:

The language of ‘restorative justice’ has begun to be used in the context of workplace issues only in the last few years. While restorative justice processes in workplaces may seem a logical progression from restorative justice in the criminal justice, welfare and school systems, in practice this involves some complex theory and changes in practice and language. Changing the language we use tends to change the way we understand processes, and changes our sense of how and when they should be used.\(^{157}\)

The potential for broadening the application of restorative justice to the workplace inspired the Australian playwright and observant critic David Williamson to write the critically acclaimed ‘Jack Manning’ trilogy of plays: Face to Face, A Conversation, and Charitable Intent (1999 - 2001).

Each of the plays dramatises the conferencing process, exploring how a restorative justice conference can be applied to three quite different situations: violence in a workplace (*Face to Face*); the aftermath of a murder and subsequent court proceedings (*A Conversation*); and conflict in a not-for-profit organisation (*Charitable Intent*).\(^{158}\) Moore explains:

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\(^{157}\) David B. Moore and John M. McDonald, *Transforming Conflict in Workplaces and Other Communities* (Bondi: Transformative Justice Australia, 2000), 20-22.

Charitable Intent, focusing on the workplace, asks the opposite question: ‘What if conflict really is caused by the actions of one person whose actions are vindictive and malicious?’ Are we naive if we assume that interpersonal conflict can always be transformed once people come to understand each other’s points of view? In Charitable Intent, the views of one person seem quite incompatible with the views of everyone else. Once this has become clear, members of the affected community go their separate ways. The playwright seems to be asking: ‘What is the point of convening a Conference when a community is actually disintegrating?’\(^{159}\)

Moore and his colleague John McDonald argue that all conference participants are physiologically wired so that ‘emotional content takes precedence over all other sources of information’. This wiring provides ‘the consistency of emotional sequencing when a group of people in conflict are brought together in a workplace conference.’\(^{160}\) Williamson was well aware that the dramatic emotional journey of participants in a conference was ready-made for the stage. In the introduction to his plays, he approvingly quotes a line from conference facilitator John McDonald: ‘Mate, I never have to go to the theatre, I get full-on drama in my life everyday.’\(^{161}\) What is not clear is how the facilitator’s neutrality is insulated from these physiological responses or how impartiality is preserved.\(^{162}\) McDonald’s comment about facing drama every day of his life indicates that even an experienced facilitator is not immune from the ‘emotional sequencing’ of the group conference. How then does the workplace conference transform conflict into something else, such as reconciliation? Moore’s answer: the

\(159\) Moore, Jack Manning Trilogy, 10.

\(160\) Moore and McDonald, Transforming Conflict, 137-138.

\(161\) Williamson, The Jack Manning Trilogy, ix-x approves of the affective theory Transformative Justice Australia uses to substantiate their conference process.

\(162\) Moore and McDonald, Transforming Conflict, 138. Moore writes that ‘an affect is one of a set of evolved physiological programs. It has much the same meaning as the verb in the sentence ‘I was affected by that’ with the inevitable result ‘we can't help but attend to anything that we are enjoying, or anything that angers us, frightens us, interests us, distresses us, or surprises us.’
conference script regulates these affects, emotions and feelings. Moore explicitly reflects on the central importance of the conference process in relation to Williamson’s plays:

The Jack Manning plays raise a number of questions about the process of Conferencing. These questions change in each play, partly because the three Conferences deal with different types of cases, and partly because each answer raises new questions. The playwright himself seems to start with two basic questions: ‘How does Conferencing deal with matters that might normally be dealt with in a court?’ and ‘if people have a choice of processes, why wouldn't they just walk out of the emotionally more torrid one?’

The theory underpinning workplace conferences is closer to Nathanson’s theory of affects than Braithwaite’s theory of re-integrative shaming. In the dramatic presentations, affects are self-evident through facial expressions and body language. The facilitator’s role is to be conscious of these affects and to steer the conference to its resolution. Once again, the theory of affects is serving a prescriptive – rather than explanatory – role for restorative justice conferences. Therefore the prognosis for the future integration of restorative justice in workplace and school contexts appears to

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163 Moore and McDonald, *Transforming Conflict*, 136 notes likely progression in a conference is usually ‘if a formal process can make possible the unmediated expression of affect in a safe context, the group as a whole might make much the same behavioural transition as an individual or couple. For instance, when a community is in conflict, common manifestations of that conflict are contempt, anger and fear. Anger prompts to attack. Fear prompts first to freeze, then to flee. Disgust prompts to get rid of, to spit out the source of disgust. Surprise prompts to stop, look, listen. Distress prompts to seek and give comfort Shame prompts to seek to restore the temporarily damaged relationship. Interest prompts to engage with the object of interest. Enjoyment prompts to affiliate with the source of the enjoyment.’ Although careful to distinguish between affect, feeling, emotion and mood in theoretical description ‘an emotion adds the biographical element to the physiology of affect … feeling is the link between the two.’ It would almost certainly be the case that the majority of conference participants would not be aware of the distinction.


166 Moore, *Jack Manning Trilogy*, 32 where he candidly admits: ‘we had been searching in the early 1990s for a coherent theory to explain phenomena that were strikingly displayed in a Conference. What theory best explained how emotions can override logic, how habits seem based around standard emotional patterns, and how a small group of people can experience ‘emotional contagion’, with destructive consequences in some settings, but very constructive consequences in others?’
be limited by the same factors than limited its use and effectiveness in
criminal justice. Until Australian practitioners have a broader theoretical
underpinning for it, the emerging opportunities of schools and workplaces
will not be able to deliver what advocates are promising.

Conclusion

My first encounters with the practice of restorative justice in the inner-city
communities of Sydney were instinctively connected with Christian faith
and theology. As I investigated the theory of restorative justice in Australia,
I did not find any theological contributions or signs of spiritual resonance.
What I discovered was entirely ‘secular’ approach that was shaped by and
for a mostly therapeutic outlook. My personal disappointment is indicative
of a wider malaise within Australian restorative justice. The brief
comparison with the New Zealand experience of restorative justice noted
the significance of contributors such as Jim Consedine and Chris Marshall.
Their theological perspective is not accidental and mirrors the restorative
justice movement in North America where its ‘grandfather’, Howard Zehr,
operates from explicitly Mennonite convictions. The theological
contribution of Zehr, Marshall, Ched Myers and Elaine Enns to restorative
justice theory and practice is assessed in the next chapter before turning in
Part II to my own proposal for a holistic Christology.
Chapter 2 Theological contributions to restorative justice

In this chapter I will survey the work of Howard Zehr, Christopher D Marshall and Ched Myers with Elaine Enns as the major theological voices on restorative justice. In contrast to Australia where the emphasis has been on academic research, each has personal experience as a practitioner of restorative justice. The need for a distinctly theological perspective grounded in continuing practice is, in my view, the most pressing need for the future of restorative justice in Australia. These North American theologian-practitioners have made a substantial difference to both the place and progress of the movement. But their vision, I will argue, could be further developed and enhanced through a more holistic Christology. For restorative justice to be both restorative and just, and for restorative justice as a movement to have a broader influence on contemporary Western society, it needs to draw on a more integrated vision of Jesus’ life, death and resurrection.

Justice in theological discourse

The recent debate between the opposing positions of O’Donovan and Wolterstorff raises two vital theological questions: what is justice and what grounds justice? Richard Bernstein describes Wolterstorff’s Justice: Rights and Wrongs as ‘the most important book on justice since Rawls’s A Theory of Justice’ and ‘the most important Christian contribution to political philosophy in the English-speaking world to have appeared so far this
Wolterstorff discerns that ‘the debate at bottom is over the deep structure of the moral universe: what accounts for what?’ This resonates with the thinking of O’Donovan who is strongly opposed to the idea that subjective rights can be foundational. He contends that human rights are secured through a well-ordered society. For O’Donovan, the deep structure of the moral universe is revealed by the question ‘what is right?’ and not ‘what are my rights?’ He says this is an argument for the primacy of unitary right over multiple rights. The Australian Baptist theologian Thorwald Lorenzen observes that the escalating controversy over human rights in the Christian church has developed as a consequence of four different approaches to rights: first, remaining silent (because the Bible is silent); second, prioritising ‘spiritual’ salvation over earthly concerns; third, focusing on God’s sovereignty and God’s rights; and fourth, pursuing reconciliation without a proper concern for justice. Like Wolterstorff, Lorenzen seeks to ground human rights, and therefore justice, in the biblical tradition. This makes an assessment of how the Scriptures speak about justice a first-order concern.

Justice in the Old Testament

Many have tried and most have failed to discover a particular conception of justice in the biblical narrative. This has included attempts to ground primary, rectifying, distributive and even restorative justice in the

170 While holding significant interest for those with a commitment to justice, the debate about the human rights in Christian theology cannot be pursued here.
Scriptures. A better approach and one noted in the introduction which is embraced by both O’Donovan and Wolterstorff is to affirm the Old Testament concern for justice as the practice (or doing) of justice. In the prophets, the ‘quartet of the vulnerable’ (widows, orphans, aliens and the poor) are identified as those in need of justice. Wolterstorff wants to know why this should be so. He argues that widows, orphans, aliens and the poor exist because of the failure to do justice. This situation highlights the importance of the ‘recipient-side’ of the moral order in Israel’s writings. Justice for the recipient-side of wrongdoing is at the heart of Wolterstorff’s argument. This is because wrongdoing denies the victim their inherent rights to ‘respect’. It is effectively a denial of their ‘worth’. Wrongdoing means certain rights accrue to the recipient (victim) which create obligations for the agent (wrongdoer). Wolterstorff’s insights provide a philosophical basis for the work of Howard Zehr, John Braithwaite and Desmond Tutu and their overlapping definitions of restorative justice. Wolterstorff finds biblical support for his conception of justice in the New Testament as well where Jesus is ‘the one who brings justice’. In this sense, Jesus shows his commitment to justice in continuity with the prophetic tradition. Jesus employs the prophet Isaiah’s concern for justice (chapters 58 and 61) in his public preaching (Luke 4). Luke depicts Jesus as both innocent (23:4, 22


172 Wolterstorff, Justice, 75-79 and rejects the following: a preferential option for the poor; a radical egalitarianism and re-distributive justice.

173 Wolterstorff, Justice, 9 fn 8, 295-308 noting that ‘if one thinks exclusively in terms of obligations, and if, furthermore, one thinks of guilt as guilt for violating the moral law rather than guilt for wronging the other, then the person who has been wronged falls entirely out of view … the recent “Restorative Justice” movement should be mentioned here … [which] tries to bring the breach of moral relationship between the accused and the victim back into the picture, both in the trial stage and in the subsequent punishment and rehabilitation stage.’

174 Wolterstorff, Justice, 115.
and 47) and as a king (17:21; 23:37-8). But Jesus also ‘falls victim’. In this depiction of the relationship between Jesus and justice, Wolterstorff’s views are neither unique nor especially novel, as many others have shown Jesus’ concern for justice.

Jesus and justice

The work of Fuller Seminary theologian and ethicist Glen Stassen is arguably more creative. He notes Jesus’ passion for justice appears 39 times in the Synoptic Gospels. Jesus’ remarks are usually part of his confrontation with the powers and authorities of his own society. According to Stassen there appears to be four themes running through Jesus’ attacks on injustice: greed, abusive power, violence and exclusion. First, Jesus confronts the injustice of greed and exploitation. For its part, restorative justice is not generally alert to economic inequalities although its conferences are often comprised of poorly educated wrongdoers from deprived backgrounds and victims from richer, affluent and more privileged parts of society. Similar to some conceptions of justice (for example Rawls) there is a perennial tendency to assume socio-economic equality where, in fact, there is none. Second, Jesus repeatedly confronts the injustice of abusive power with the

177 William R. Herzog, *Jesus, Justice, and the Reign of God: A Ministry of Liberation* (Louisville: John Knox Press, 1999), 189 notes from Mk 12:38-44 that Jesus confronts injustice when he warns against the scribes who ‘devour widows’ houses’ while maintaining a facade of piety by uttering ‘long prayers’. The temple, which was supposed to support widows and orphans, has been turned into “the institution that extracts their last copper coins. So when Jesus sits down opposite – *in opposition to* – the Temple treasury, he is far from approving this widow’s donation … ‘giving all that she had’.
178 This critique is expanded in chapter 3.
offer of healing and the promise of restored relationships.\textsuperscript{179} Third, Jesus’ enemy-love confronts the injustice of violence and enmity (cf. chapter 4 following). Fourth, Jesus opposes the injustice of exclusion by welcoming outcasts and forgiving enemies. Stassen, who was a student of Walzer, notes that ‘Walzer's understanding of justice has anti-domination as a central theme’. He ventures to suggest that ‘perhaps this is why it is so close to the fourfold justice Jesus taught and embodied in his own tradition - that of the prophets of Israel’.\textsuperscript{180} Stassen also correlates Walzer’s promotion of a set of rights with the justice of Jesus. First, ‘the right to community … correlates with Jesus’ emphasis on justice as restoration to community’; second, ‘the right to liberty … correlates with Jesus’ justice that opposes domination’; and third, ‘the right to life … correlates well with Jesus’ emphasis on justice for the poor’.\textsuperscript{181}

Despite its difficulties, theological conceptions of justice cannot be separated from the broader discussion of rights. The thought of Swiss reformed theologian Emil Brunner is important here. His argument is that Christian faith provides resources for justice that natural law or philosophy do not provide. This is ‘the point at which Christian theology must be called’.\textsuperscript{182} Brunner argued for biblical grounds relating to first, equality and inequality; second, the divine law; and third, the right to

\textsuperscript{179} Stassen, "The Kind of Justice Jesus Cares About," 169 observes that in Lk 6:6-11 Jesus confronts the domination of the Pharisees over Sabbath practices that exclude feeding the hungry and healing the man with the withered arm. Overlooked by Stassen is the word Luke uses when Jesus ‘restores’ the hand. It is for God’s work in the world (Acts 3:21) and for being reconciled to a ‘right relationship’ (Heb 13:19).

\textsuperscript{180} Stassen, "The Kind of Justice Jesus Cares About," 173.

\textsuperscript{181} Stassen, "The Kind of Justice Jesus Cares About," 173-175.

freedom and the rights of the community.\textsuperscript{183} Taken together, these revealed that the ‘secret of the Christian conception of justice is not equality, but the blend of equality and inequality’.\textsuperscript{184} This allows Brunner to speak of justice in the political sphere as ‘just punishment’ and also of restoring ‘just order’ because of the need to respect individual and community rights.\textsuperscript{185} This is an important biblical insight for the restorative justice movement. The tension between the rights and obligations of the individual victim and wrongdoer and the wider community is, in fact, the creative tension encountered in the restorative justice process. Justice is not achieved by narrowly asserting the individual rights of either the victim or wrongdoer (according to Wolterstorff’s conception of justice-as-rights), nor is it achieved by solely asserting the rights of the community (according to O’Donovan’s conception of justice-as-right-order). In theory at least, restorative justice maintains that the debate implies a false choice. In practice, largely due to wider cultural pressures and the strong influence of the therapeutic outlook, it is lamentable that restorative justice has become preoccupied with justice-as-rights.\textsuperscript{186}

\begin{footnotesize}
\begin{enumerate}
\item\textsuperscript{183} Brunner, \textit{Justice and the Social Order}, 35-63.
\item\textsuperscript{184} Brunner, \textit{Justice and the Social Order}, 41.
\item\textsuperscript{185} Brunner, \textit{Justice and the Social Order}, 149 where the process of restoration and retribution are upheld in contrast to revenge.
\item\textsuperscript{186} Theological arguments for denying justice-as-right-order reject the neutrality of any social orders (such as family, neighbourhood, workplace and nation-state). They are articulated in the radical reformation perspective of John Howard Yoder, \textit{Discipleship as Political Responsibility} (trans. Gedert; Scottdale: Herald Press, 2003), 62-63 who remarks ‘it is remarkable how the meaning of Christ’s lordship has been reversed … in New Testament times the lordship of Christ meant that even that which is pagan, the state, was under God’s rule. Today exactly the same expression means that Christians have been sent into all areas of public life, including every political position, and that there as Christians they are to do their duties according to the rules of the state – in other words, the opposite of the meaning in the New Testament.’
\end{enumerate}
\end{footnotesize}
It is only in the biblical account that we learn wrongdoers do not participate in a right relationship with God.\textsuperscript{187} And so we must ask: does Jesus’ life and death restore God’s order (kingdom) \textit{and} restore wrongdoers through the forgiveness of sins (cross)? The only grounds for a satisfactory answer – that it involves both the kingdom and the cross – is the life of the risen Jesus.

\textit{A theological evaluation of restorative justice}

The ‘grandfather’ of restorative justice, Howard Zehr, poses three questions that provide a framework for critiquing contemporary theory and practice. Each question exposes where restorative justice has become preoccupied with process and technique. These questions present continuing opportunities for theologians to contribute to its greater conceptual clarity and validity. Zehr asks: ‘are we really delivering justice for victims? Are we taking harms that have larger social, economic, political dimensions and treating them as individual wrongs? Are communities healthy enough to be doing the job we are asking them to do?’\textsuperscript{188} These questions not only highlight the gap between theory and practice, they also illuminate the

\textsuperscript{187} This is affirmed by Wolterstorff, \textit{Justice}, 91 who notes that wrongdoers fail in ‘\textit{obligations} to God … wrong God, deprive God of that to which God has a \textit{right}.’ [Emphasis retained]. Wannenwetsch, "But to Do Right … Why the Language of 'Rights' Does Not Do Justice to Justice,” 23, no. 2 (2010): 143 criticises Wolterstorff—who claims to be concerned with primary (as opposed to rectifying) justice – but mounts arguments here that lean towards an account of procedural justice (a just state of affairs) rather than the doing of justice (restoring justice after wrongdoing). Wannenwetsch notes perceptively that ‘theologically speaking, this would at best represent a realised eschatology, and at worst a recipe for a political culture that contents itself with sheer semblance of justice.’ Nicholas Wolterstorff, "Response to My Commentators," \textit{Studies in Christian Ethics} 23 (2010): 198 replies that ‘primary justice is not the justice that pertains to an original state of innocence … it’s our justice, the justice whose breakdown among creatures such as ourselves make corrective justice relevant.’

divergence between the promise of biblical justice as *shalom* and the delivery of a therapeutic approach to contemporary restorative justice practice, at least in Australia.

**Is restorative justice delivering justice for victims?**

The first and most serious of Zehr’s questions exposes the potential reduction, in some instances, of restorative justice to a therapeutic process or technique. Adherence to process can deliver a resolution for participants while not necessarily delivering justice for all. This is an echo of Charles Taylor’s lament that no one is to blame and just outcomes are sidelined.

Restorative justice promises more than a therapeutic technique designed to repair broken relationships. This is one of Howard Zehr’s fundamental critiques of criminal justice. He rejects justice defined merely by process: ‘following a direction set by ancient Roman law, justice is defined by the processes more than the outcome. Procedure overshadows substance. Have the right processes been followed? If so, justice was done’.

Nearly twenty years on, restorative justice itself can be chastised on the same grounds; it has morphed into a process-driven approach to justice. Moreover, too much restorative justice practice has become therapeutic in outlook with the pursuit of justice sometimes becoming a secondary concern.

The French sociologist Jacques Ellul noted the growing tyranny of technique. This tyranny was manifest when institutionalised processes, bureaucratic structures and organisational cultures no longer served humankind. Rather, they demanded to be served by the human

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activity for which they were initially brought into existence to serve.\(^{190}\)

Other commentators have observed the ascendancy of the therapeutic in quite diverse fields of human interaction remarking that the therapist has become a central ‘social character’.\(^{191}\) Therapeutic techniques that dominate and effectively domesticate contemporary restorative practice fit Ellul’s definition (of technique) as the ‘totality of methods rationally arrived at and having absolute efficiency … in every field of human activity’.\(^{192}\) Yet, if a restorative practice fails to make amends it cannot be said to have delivered justice. This is the essence of Annalise Acorn’s critique of restorative justice theory and practice. She says that by collapsing love and justice together, ‘restorative justice is all about [sentimental] love and not justice’.\(^{193}\) Acorn argues that it is the spiritual and consciously Christian contributions to restorative justice that have turned it into a form of ‘compulsory compassion’. Her foremost objection is to the biblical practices of nonviolent pacifism, morally heroic enemy-love and ‘seventy-times-seven’ forgiveness. The critique is valid, not because Acorn has necessarily interpreted Christian love correctly, but because too many restorative practices have indeed ceased ‘doing justice’.\(^{194}\) The American theologian Greg Jones shares my disquiet with the dominance of therapeutic language

\(^{190}\) Jacques Ellul, *The Technological Society* (London: J Cape, 1965), 291-300 where technique is explored in relation to the pursuit of justice.


\(^{192}\) Ellul, *The Technological Society*, xxv.


\(^{194}\) This criticism finds its origins in the prophetic witness against God’s people, for example, Isa 28:17, 51:4-5, 59:14-17; Ezek 22:29; Hos 12:6; Amos 5:7-12; Mic 3:9.
(alongside therapeutic and bureaucratic techniques), which has co-opted Christian forgiveness. According to Jones:

When forgiveness is seen in primarily individualistic and privatistic terms, we lose sight of its central role in establishing a way of life - not only with our ‘inner’ selves but also in our relations with others …. specifically by producing pale imitations of Christian notions of community, of sin, and of compassion. Both therapists and managers see ends as given or, worse, as arbitrary, subjective, and made up. Hence, ends are beyond the realm of their competence; they are concerned only with technique.195

In response, Chris Marshall has called for a ‘fresh language’ to describe and promote restorative priorities. He concedes that the language of restorative justice in the public arena is ‘threadbare … by and large we use the [therapeutic] language of ‘grievance’ and ‘settlement’, not the [biblical/theological] language of ‘truth’ or ‘justice’ or ‘apology’ or ‘forgiveness’ or ‘reconciliation’ or ‘healing.’”196 For Marshall, the solution lies in the extended use of these overtly religious and spiritual categories. Consequently, restorative justice needs to rediscover the theological and communal roots of its language and charter while becoming less dependent on therapeutic techniques. O’Donovan goes further. He argues that it must reject their ‘illusory justice’ based on a ‘non-committal stance’. It will also require, I will argue, a more holistic Christology. One that is not limited to Jesus’ teaching and practice of nonviolence. A Christology that demonstrates how enemy-love binds together his life, death and risen life.197

197 See further Thorwald Lorenzen, Resurrection and Discipleship: Interpretive Models, Biblical Reflections, Theological Consequences (Maryknoll: Orbis Books, 1995), 240; Thorwald Lorenzen, Resurrection, Discipleship, Justice (Macon: Smyth & Helwys, 2003),
Is restorative justice cognisant of social, economic and political dimensions of wrongdoing?

A central concern of restorative practices has been to elevate human dignity and to honour the key actors and stakeholders in crime and justice.\(^{198}\)

Another is to heal the relationship between victim and offender (most commonly through a mediated encounter), often referred to as a ‘circle process’ that draws in other relevant stakeholders, such as the families and communities of both victims and offenders. For this process, the mediator or facilitator becomes the therapist bearing the necessary expertise to bring about some sense of ‘closure’.\(^{199}\) The mediator’s expertise usually resides in the field of psychology, conflict resolution, family therapy or a related sub-discipline. These mediators may have little or no expertise in understanding or enacting justice. A therapeutic concern for people and relationships is, prima facie, no more or less likely to deliver justice than a legal concern with crime and punishment. Ironically, restorative justice has tended to compound the problem of justice denied by systematically failing to consider broader issues of social disadvantage and unequal power relations.\(^{200}\)

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63 calls for a ‘continuity in content to that for which Jesus lived and died.’ [emphasis retained]


\(^{200}\) This neglect has been highlighted by M. Kay Harris, "Transformative Justice: The Transformation of Restorative Justice," in *Handbook of Restorative Justice: A Global Perspective* (eds. Sullivan and Tifft; London: Routledge, 2006), 555-566.
Does restorative justice require the kind of community that rarely exists?

There is a stark contrast between the restorative relationships found in ancient Indigenous or Christian communities and more contemporary forms of social community. Because relationships between central stakeholders are based on short-term contracts rather than lifelong covenants, and because the goals of these processes are largely couched in emotional terms designed to achieve ‘closure’ or resolution, therapeutic processes are potentially debilitated from the outset in being highly dependent on those with expertise in the management of processes.

Jones calls therapeutic community ‘a pale, synthetic substitute, a simulacrum of Christian community’ where ‘competing autobiographies replace authentic conversation, or substantial discussion and debate’. Practitioners of restorative justice have discerned these crucial distinctions, too. Marshall notes the need for a flexibility of practice that respects the long-term character of community. He saw this displayed in an extended encounter in Northern Ireland between an IRA bomber and the daughter of a terrorist victim:

The meetings between the two appear to have been un-facilitated, were spread over several years and entailed ‘long and searching conversations dissecting their roles as victim and perpetrator’. Most standard restorative justice conferences, by comparison, are facilitated by a neutral party, take a couple of hours at most to complete and do not permit disputes about roles.

The preoccupation with technique and process has had another serious consequence for restorative justice. Its church-based practice empowered by

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201 Jones, *Embodying Forgiveness*, 44.
a theological vision has been diminished as well. Two effects of theology being marginalised can be observed here. The first is the unresolved tension between restoration and retribution. The second is the lesser importance given to Jesus’ death and resurrection over his life and teaching in justice making.

Restorative justice literature has generally sided too quickly with the kind of biblical interpretations that have emphasised a relational or social focus (‘delivering, community-restoring justice’) while ignoring or overlooking other dimensions of justice, such as righteousness. Marshall’s extensive survey of the semantic domain for justice reflects this bias as well. God’s justice is seen as ‘a redemptive power that breaks into situations of oppression or need in order to put right what is wrong and restore relationships to their proper condition’. Perhaps this hermeneutic of ‘good news for the poor’ can also be found in the interpretation of God’s justice as righteousness? It might be that this theological bias is a reason for the suspicion within the restorative justice movement of the role of retribution, in general, and punishment, in particular. I will contend in part II that a truncated Christology is the major determining factor.

I will begin to demonstrate the need for a broad view of the Christ event by examining the work of two restorative theorists with expertise in biblical scholarship. Both hold to a Christology centred on the life and teaching of Jesus, seeing him as the prophet of God’s justice or

203 Glen H. Stassen and David P. Gushee, Kingdom Ethics: Following Jesus in Contemporary Context (Downers Grove: IVP, 2003), 345.
204 Marshall, Beyond Retribution, 93.
Ched Myers affirms that ‘it is in this prophetic tradition [Micah, Isaiah] that Jesus of Nazareth stood as a practitioner of and advocacy [sic] for God’s vision of shalom.’

A Christology built on the life of Jesus was crucial during the early evolving of Christian restorative justice. I am certainly sympathetic to the view that much Christology overlooks the historical, political and economic reasons for Jesus’ death and subsequent resurrection. Severed from the life of Jesus, the Christian ‘spiritual roots’ of restorative justice might be reduced to simply another rival version of justice. Restorative justice rightly criticises this ‘depoliticised’ Jesus (Marshall) as well as the ‘domesticated’ Jesus (Myers) that has featured prominently in biblical scholarship and Christian piety. According to Marshall, this has resulted in ‘a drastic impoverishment of Jesus’ message and a blunting of its radical edge to suggest that Jesus was only concerned with the spiritual needs and personal conduct of individuals.’

It comes as no surprise when restorative justice theorists and practitioners overlook this deficient, ‘spiritualised’ theology. Marshall and Myers both contend that Jesus’ practice of justice was essentially a revolutionary alternative in that ‘Jesus … chose the way of nonviolent, sacrificial love and required the same of his followers (Mt. 5:38–48).’ Their perspective stresses that the

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207 Myers, "Jesus and the Prophetic Vision of Shalom."
208 My chapter on Jesus’ death employs Yoder as conversation partner to guard against this tendency.
life and teaching of Jesus demonstrate the restorative, not punitive, divine character and divine purpose in the world. If this is correct, the restorative purposes of God must be demonstrated alike in the death and resurrection of Jesus, not solely through his life and teaching. This is the basis of my claim that the integrity of Christian justice is dependent on a holistic Christology focussing on Jesus Christ, who lived and taught nonviolent enemy-love, died on the cross as an act of justice-making, was raised to life and reconciled by God and who sent the Spirit to animate faith, justice and reconciliation in his followers. The restoring justice embodied in Jesus’ teaching and deeds coheres with that enacted by his death and resurrection. The relationship between theology and praxis in the whole Christ-event is thus irreducible. This is another reason that the death and resurrection of Jesus must not be domesticated. When Jesus is divorced from either politics or theology, he is diminished and severed from the pursuit of justice.

Justice that is restorative

Archbishop Tutu’s description of restorative justice (quoted in the introduction) offers a glimpse of the theological resources available to the movement within the biblical narratives. Restorative justice advocates rightly argue that Indigenous and spiritual approaches to justice have traditionally emphasised the restoration of broken relationships in a way that has been lost in contemporary Western criminal justice. An axiom for the movement is the necessity of retrieving ancient meanings of justice rather than merely offering an alternative to contemporary criminal justice.

212 See Zehr, Changing Lenses: A New Focus for Crime and Justice, 83–125 and Hadley, "Christianity."
number of Christian scholars within the restorative justice field have led this retrieval by searching the Scriptures for a consciously biblical way of justice. Each of these practitioner-scholars perceived a ‘gap’ in the provision of justice in their respective communities. Zehr believed that *shalom* (‘peace’ and ‘well-being’) was missing in the criminal justice process where its narrow focus on law and punishment ignored individuals and their relational needs. Marshall observed that despite their enduring debt to the Judeo-Christian tradition, common approaches to crime and punishment had become separated from their biblical roots. Myers and Enns thought that the various approaches to justice in Christian peace-making had become fragmented, symbolising a widespread neglect of the practice of reconciliation. Each contribution surveyed below is grounded in the broadly restorative understanding of justice informed by Jesus’ life and teaching, drawing on the traditions and practices of radical Christian discipleship.

Howard Zehr: justice as *shalom*

The American Mennonite sociologist Howard Zehr is the most respected international voice in the restorative justice movement. Zehr is conscious of his Christian and specifically Mennonite approach to thinking about, and responding to, wrongdoing.²¹³ His role as a restorative justice public educator obliges him to integrate academic theory and personal practice.

In an early article that questioned the violence commonly found in prisons and throughout ‘the so-called criminal justice system’, Zehr observed that ‘crime involves broken relationships that destroy shalom

... CRIME IS A PEACE ISSUE’ [emphasis retained]. In light of the ‘basic message of the Old Testament’ and ‘the direction of the New Testament’, Zehr finds two key images for a theological response to crime: ‘the suffering servant loving the enemy and the image of a community that is whole’. While Zehr is careful not to make exclusivist claims about restorative justice’s origins (he admits to a growing awareness of the influence of Indigenous traditions such as sentencing circles in Aboriginal communities, Navajo peacemaking and African customary law), the second image of ‘wholeness’ has been Zehr’s major contribution to restorative justice. Hence, he sees biblical justice principally as shalom.

Zehr explains that

Shalom encapsulates God’s basic intention, God’s vision, for humankind. Consequently, we must understand salvation, atonement, forgiveness, and justice from their roots in shalom ... God intends for people to live in right relationship with one another and with God. To live in shalom means that people live in peace, without enmity. [emphasis retained]

Zehr’s biblical ‘justice as shalom’ motif provides a key point of differentiation between his views and those preceding them. Whereas contemporary criminal justice is retributive, biblical justice is restorative. The essence of this distinction became a crucial concern in the growing body of literature. More recently, Zehr revised his initial contrast by

216 Zehr, The Little Book of Restorative Justice, 62.
217 Zehr, Changing Lenses, 126-157.
218 Zehr, Changing Lenses, 130-131.
219 See Von Hirsch, Restorative Justice and Criminal Justice: Competing or Reconcilable Paradigms? provides the most comprehensive analysis of the claimed distinction between restorative and criminal paradigms.
admitting he ‘no longer speaks in such clear dichotomies.’ Nonetheless, his work has set a new course for understanding justice that has a clearly restorative intent. Rather than merely punishing offenders as a form of ‘just deserts’, there is a deliberate attempt to hold offenders accountable by making amends. He remarks: ‘as defined by restorative justice, accountability would encourage offenders to develop understanding of their offence and empathy for the victim, and then take active steps to right the wrong, symbolically or practically’.

Pioneering restorative theorists like Zehr considered the criminal justice system to be part of the problem of violence and its fracturing of both people and communities. He and others argued that the ‘justice’ system was not meeting the needs of victims, offenders or the wider community. An alternative approach to justice proposed by the Mennonite church, known as the ‘Victim Offender Reconciliation Program’ (VORP), was the first deliberate trial of justice with a restorative intent. The program’s theological instinct was to create a clear ‘kingdom alternative’ rather than reforming the existing criminal justice system. Within VORP, the validity of any form of punishment and the place of retribution were challenged and questioned. The ‘changed’ lens in looking at the problem of crime and the response advocated by Zehr is, in essence, ‘a restorative lens’. Although Zehr has softened his previously sharp distinction between retributive and restorative responses to wrongdoing, his

222 Zehr, Changing Lenses, 158-174.
223 Zehr, Changing Lenses, 178 stating ‘that lens is the focus of this book.’
original definition of restorative justice remains largely intact. It continues to be the favoured depiction of the restorative approach: ‘Crime is a violation of people and relationships. It creates obligations to make things right. Justice involves the victim, the offender, and the community in a search for solutions which promote repair, reconciliation and reassurance.’\textsuperscript{224} This definition is appealing because it is concise and workable, although the kind of justice that restorative approach actually delivers is less certain. This is because Zehr likens justice to reconciling relationships, healing a wound, filling a hole. These are preconditions for reaching ‘closure’.\textsuperscript{225} Trying to be more precise about the distinctive features of the biblical justice advocated by Zehr has been a key challenge for the New Zealand biblical scholar Chris Marshall.

Christopher D Marshall: God’s saving justice

Christopher Marshall has made a significant contribution to the meaning of justice and the place of retribution within restorative justice theory. Marshall argues that ‘the meaning of justice … is known primarily through God’s revelation in history’ of which the Exodus and the coming of Jesus Christ are key elements.\textsuperscript{226} Marshall builds on Zehr’s work by both broadening and deepening the biblical worldview of justice. Along with Zehr, Marshall accepts both shalom and covenant as central to justice but adds a ‘complex of related [biblical] ideas’.\textsuperscript{227} They are Torah, Deed-Consequence and Atonement-Forgiveness. He thinks that justice needs to be

\textsuperscript{224} Zehr, Changing Lenses, 181.
\textsuperscript{225} Zehr, Changing Lenses, 188-190.
\textsuperscript{227} Marshall, The Little Book of Biblical Justice, 10-20.
rehabilitated as one of the bible’s central themes. The occurrence of the ‘major Hebrew and Greek words for justice (mishpat, sedeqah, dikaiosune, krisis) occur over 1000 times’, reflecting its primacy and priority. More substantially, justice is a revealed attribute of God and one that God’s people are to emulate as a core virtue. It is a source of hope for the life of faith and one that entails real-world commitments. While this depiction of justice is consistent with a broad range of theological perspectives, Marshall presents an enlarged description of justice as a relational reality with a partiality for the disadvantaged. For Marshall, the promotion of justice is primarily a ‘restorative activity’. An additional emphasis is his insistence that punishment is not the central element in satisfying the demands of justice. Instead, he holds that ‘justice is satisfied by repentance, restoration and renewal’, based primarily on the life and teaching of Jesus. For Marshall, Jesus is a prophet of justice. The fuller range of New Testament justice teaching is dealt with in Marshall’s earlier work, Beyond Retribution: A New Testament Vision for Justice, Crime, and Punishment, which examines key New Testament texts in the light of restorative justice theory. It is in this work that Marshall appropriates Zehr’s ‘new lens’ with a thorough analysis and exegesis of relevant biblical passages that, arguably, have not been surpassed within the extant restorative justice literature.

228 Marshall, The Little Book of Biblical Justice, 11. However, not much space is devoted to Jesus’ death and resurrection nor to other New Testament perspectives. In my view, this slightly distorts the broader teaching of the New Testament which portrays Jesus’ life and these events in an entirely integrated way.
Marshall draws together conceptually this disparate New Testament material as the ‘justice of God’ in Jesus and Paul. Marshall interprets God’s justice primarily as saving justice. The consistency of Jesus’ preaching of the Kingdom of God and Paul’s preaching of Christ crucified is reflected in a ‘redemptive solidarity’ understanding of Christ’s death. This view rejects Anselmic theories of atonement that entertain notions of substitution. According to Marshall, ‘the death of Christ is a work of justice-making, then, not because it entails secondary retribution on human sin, but because it demonstrates God’s unfailing faithfulness to his people and because it liberates, cleanses, heals, and restores’. 233 This interpretation of Jesus’ death is reflected in the recent work of the American Mennonite scholar J Denny Weaver and his theory of ‘nonviolent atonement’. 234 In recent years this has become a dominant view of atonement for theologians working in the field of restorative justice. In my view, it also embodies a truncated Christology inasmuch as it continues to overlook Jesus’ resurrection and its importance for justice.

Marshall’s thorough overview of the semantic domain δικαιοσύνη (‘righteousness’) 235 in Jesus and Paul leads Marshall to conclude that the ‘advent on earth of God’s eschatological justice … [is] a redemptive and reconstructive action more than a retributive or punitive one.’ 236 The trajectory of God’s justice is continuous with the Hebrew

233 Marshall, Beyond Retribution, 67-68.
235 Marshall, Beyond Retribution, 38.
236 Marshall, Beyond Retribution, 40-59, 145, 257.
conception of ἴδια (‘righteousness’) which sees it as ‘comprehensively relational’.\textsuperscript{237} This is a crucial theological insight and provides a compelling argument for understanding biblical justice as intentionally restorative. Consequently, any punishment imposed by God or the community of faith nearly always has (or ought to have) a redemptive intent. These are the theological grounds for a circumscribed role for punishment within restorative justice. Punishment is not reformative or retributive. Nor is it a deterrent. It is to be deliberately restorative.\textsuperscript{238}

Significantly, Marshall simultaneously broadens Zehr’s narrower contrast of retribution and restoration while offering a deeper interpretation of punishment in the biblical narrative.\textsuperscript{239} Although Marshall concedes that punishment plays a significant role in the outworking of God’s justice in the New Testament, he argues that divine punishment is neither vindictive nor retributive. Marshall discerns a restorative element to punishment that takes three nuanced forms: first, as ‘deed-consequence’; second, as the ‘pain of taking responsibility’; third, as a ‘symbol and invitation’.\textsuperscript{240} Divine wrath and retributive punishment are not the same thing. Images of God ‘hiding his face’ in the Old Testament and God ‘giving [people] up/over’ to the consequences of their choices are the key to interpreting God’s punishment as a form of ‘deed-consequence’.\textsuperscript{241}

Marshall concludes that ‘according to the witness of the New Testament, the basic principle of the moral order is not the perfect balance

\textsuperscript{237} Marshall, \textit{Beyond Retribution}, 47.
\textsuperscript{238} Marshall, \textit{Beyond Retribution}, 97-128. In the next chapter I examine the theology of CFD Moule who first articulated punishment’s limited role in the New Testament.
\textsuperscript{239} Zehr, \textit{Changing Lenses}, 63-82.
\textsuperscript{240} Marshall, \textit{Beyond Retribution}, 132-140.
\textsuperscript{241} Marshall, \textit{Beyond Retribution}, 173-744.
of deed and desert but redeeming, merciful love’. In the New Testament, justice is first and foremost restorative. This rightly gives theological priority to [God’s] ‘redeeming, merciful love’ which is revealed in the enemy-love of Jesus’ life, death and resurrection.

Ched Myers and Elaine Enns: ambassadors of reconciliation

The most recent theological contribution to restorative justice theory and practice has come from two unlikely co-authors. Ched Myers is an American New Testament scholar who is noted for his socio-literary approach to the Gospels and peace and justice activism. Elaine Enns, a Canadian Mennonite, is a restorative justice trainer and facilitator with many years experience in the teaching of victim and offender facilitation. Their two-volume collaborative project takes its cue from the biblical and theological insights of Marshall while drawing on the theoretical and practical wisdom of Zehr.

The priority given to reconciliation in their work is reflected in the biblical passages they have chosen as ‘core samples’: 2 Corinthians 5:16-6:13, Matthew 18 and Ephesians 2. The title of their two-volume work is drawn from the apostle Paul’s call to Christian disciples in his second letter to the Corinthians to be ‘ambassadors of reconciliation’. While the Canadian lawyer and Anglican priest Katherine Hough is critical of attempts to marry restorative justice with a theology of reconciliation, Myers and Enns offer a compelling case for biblical exegesis and contemporary stories

242 Marshall, Beyond Retribution, 259.
244 Myers and Enns, Ambassadors of Reconciliation I, 1-17, 49-81 and 82-118.
of reconciliation being a proper concern of restorative justice.\textsuperscript{245} I will restrict the discussion here to Myers’ and Enns’ treatment of Matthew 18 in which they portray Jesus as a ‘teacher of restorative justice.’\textsuperscript{246} From my observation, Myers and Enns appear to be the first scholars to advance a distinctly Christological argument for the theory and practice of restorative justice. But can Myers and Enns substantiate their argument and how complete is their Christological vision?

They begin with a provocative challenge to widely-held assumptions about the context for one of Jesus’ best-known sayings: ‘where two or three are gathered in my name, there am I among them’ (Matt 18:20). They argue that the traditional and consciously pious misunderstanding of the context usually holds that Jesus is referring to when and where Christians gather for worship, prayer and fellowship. A proper understanding of this would see the text rendered as ‘whenever the \textit{ekklesia} gathers to ‘make things right’ between offenders and victims.’ The place of reconciliation is where Jesus’ presence is promised.\textsuperscript{247}

They go on to argue that a community that gathers to ‘make things right’ resembles a restorative justice conference, especially in local neighbourhood, schools and other community justice settings. The interpretation of Myers and Enns effectively echoes the earlier discussion of this text by John Howard Yoder who identified this ‘rule of Christ’ as one of the central practices for discipleship.\textsuperscript{248}

\textsuperscript{245} Katherine Lorelle Hough, "Restorative Justice and Restorative Theology: A Dialogue" (PhD thesis, Graduate Theological Union, 2007).
\textsuperscript{246} Myers and Enns, \textit{Ambassadors of Reconciliation I}, 65-71.
\textsuperscript{247} Myers and Enns, \textit{Ambassadors of Reconciliation I}, 50.
in a Mennonite Perspective entitled ‘Discipline in the Church’ is also significantly based on this passage. The Mennonite scholar Estella Horning concludes her discussion of the surrounding context of Matthew 18 and reference to it in Article 14 by claiming that the context ‘provides us with essential clues about the nature and purpose of the process described … [where] finally, the goal of the process of discipline is discipling and forgiveness (21-35).’

In their interpretation, Myers and Enns have identified a simple structure in 18:15-20 which they contend deals with concrete acts of violation and injustice. Instead of a disciplining process for ‘shunning’ the offender, the four stage process they have detected is definitely confrontational but nonetheless restorative. The four steps include: negotiation (18:15), mediation (18:16, cf. Dt 19:15), arbitration (18:17) and binding–loosing (18:18-20). They argue that this is effectively ‘full-spectrum peace-making’ because it accounts for ‘peace-building’ (or negotiation, where there is cooperation and no third party), ‘peace-making’ (or, mediation and dialogue, where there is cooperation with a third party), ‘peace-keeping’ (or, arbitration which is lacking cooperation and requires a third party) and ‘peace-waging’ (or, nonviolent struggle where there is non-cooperation and no third party). Zehr acknowledges the validity of the full-spectrum approach which he interprets as a ‘metaphor’. He notes that,

251 Myers and Enns, Ambassadors of Reconciliation II, 15-21.
right relationships with one another, the creation, and our Creator.\footnote{252} In their exegesis of Matthew, the use of a socio-literary reading of the gospels\footnote{253} has allowed Myers and Enns to identify the context of ‘double marginalisation’ [which] helps us properly interpret Matthew’s views on justice and conciliation.\footnote{254} They note that Matthew’s Jesus does not trust either the Roman or rabbinic courts. For them, this is an attitude first encountered in the Sermon on the Mount. Another example is Matthew 5:25-26 where the language is taken from the law courts.\footnote{255} Noting that Matthew uses the term φυλακὴ (prison) ten times, ‘suggesting it was part of his community’s experience’, Myers and Enns conclude that ‘Matthew’s bias is clear: he does not trust the courts to adjudicate justice.’\footnote{256} Consequently, Jesus’ teaching on restorative justice must be seen as an alternative to the political and religious courts of the day.

Based on Jesus’ teaching in Matthew 18, Myers and Enns have responded to the three critiques of restorative justice outlined earlier in this chapter. The first asserts that justice for victims is marginalised. They argue for the ‘moral agency of the victim’, seeing in 18:12-14 what they call ‘the Least and the Lost as Center of Concern and the Biblical Roots of Restorative Justice.’\footnote{257} In conclusion to the small parable, ‘it is not the will

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\footnote{252}{Myers and Enns, \textit{Ambassadors of Reconciliation II}, ix.}
\footnote{253}{See Ched Myers, \textit{Binding the Strong Man: A Political Reading of Mark's Story of Jesus} (Maryknoll: Orbis Books, 1988). This was the first instance of a socio-literary reading being applied to an entire Gospel.}
\footnote{254}{Myers and Enns, \textit{Ambassadors of Reconciliation I}, 53.}
\footnote{255}{ἀντιδίκος (‘accuser’) is the prosecution’s role in a lawsuit and Matt. 18:30 is suggestive of the experience of a debtors prison.}
\footnote{256}{Myers and Enns, \textit{Ambassadors of Reconciliation I}, 53.}
\footnote{257}{Myers and Enns, \textit{Ambassadors of Reconciliation I}, 61, 69.}
of Father that *one* of these little ones should be lost’, Myers and Enns find
the ‘bottom line of restorative justice’:

> there is no victim whose pain does not deserve attention, and no
offender who is beyond redemption. It establishes ‘a priority of
the minority’: the Christian community is not governed by
majority rule, but by the task of restoring those whose
relationships have been shattered by violation.\(^\text{258}\)

If Jesus’ principle of establishing the ‘priority of the minority’ is to be
maintained, commitment to the reconciliation of victims and wrongdoers
does not reduce the victim to a ‘prop’ in a wider process. When the goal of
reconciliation is overlooked, restorative justice becomes yet another
battleground between the competing needs and rights of victims and
wrongdoers.

The importance of maintaining a distinction between
‘minorities’ and ‘majorities’ leads to the second critique of restorative
justice: that it ignores larger social, economic and political dimensions. In
their discussion of Matthew 18:1-10, Myers and Enns demonstrate the force
of Jesus’ challenge to ‘social stratification’ as he urges his disciples to
‘practice downward solidarity’. They are inviting the restorative justice
movement into new territory with their demand that:

> the prerequisite for the practice of restorative justice … is a
critical understanding of how and why social power is unevenly
distributed, and a commitment to level that terrain in its own
practices and self-organisation. Without a deeper rehabilitation
of human dignity and social equity, restorative efforts will only
be cosmetic.\(^\text{259}\)

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\(^{258}\) Myers and Enns, *Ambassadors of Reconciliation I*, 63.

\(^{259}\) Myers and Enns, *Ambassadors of Reconciliation I*, 56, 59. This theme is explored in
Secular critics of restorative justice have already made damning assessments of its superficiality claiming that its effectiveness has been thwarted by impoverished and dysfunctional communities.

This is Zehr’s third critique – that restorative justice depends on the kind of community that rarely exists in the brokenness of too many fractured societies – is addressed in the depiction of ‘Jesus’ model of ‘community conferencing’ by Myers and Enns. Although Matthew’s Jesus did not trust ‘the hostile rabbinic or Roman courts’ to deliver justice, Jesus nonetheless offers a ‘vision of relational justice that seeks to heal the wounds of violation rather than punish, and to restore community between victim and offender.’ This is grounded in a vision of the church community in which Jesus ‘guarantees divine accompaniment in any and every community justice conference (18:19).’

The attentive reader will have discerned the consistent influence of Yoder in the work of Zehr, Marshall and Myers and Enns. It is the specific practice of reconciliation within the church articulated in Matthew 18 that bears however, a striking resemblance to Yoder’s twofold interpretation of binding and loosing. Yoder identifies the practice of ‘forgiveness’ (to ‘bind’ is to withhold fellowship; and to ‘loose’ is to forgive) and the practice of ‘moral discernment’ (where to ‘bind’ is to enjoin, to forbid or make obligatory; and to ‘loose’ is to leave free, to permit) from rabbinic usage in the halakah. He argues that it is through

260 Myers and Enns, Ambassadors of Reconciliation I, 65.
261 Myers and Enns, Ambassadors of Reconciliation I, 69.
263 Yoder, "Practicing the Rule of Christ," 135-137.
both forgiving and discerning that ‘the way of dealing with the brother or sister is determined by the reconciling intent.’ 264 The church community is not gathered and empowered for the task of reconciliation merely through Jesus’ teaching about enemy-love. It must also be ordered by Jesus’ death, resurrection and continuing participation in the Spirit. Only as the church community is grounded in, and informed by the whole Christ event will it gain the maturity needed to name wrongdoing (or ‘judgment’ as in Yoder’s ‘moral discernment’) and practice forgiveness.

Conclusion

Marshall has remarked: ‘arguably, one of the key contributions restorative justice theory can make today is to clarify the inherent spirituality involved in doing justice.’ 265 More than clarifying this ‘inherent spirituality’, restorative justice must be animated by a theological vision that brings together the life, death and resurrection of Jesus. Contributions to restorative justice must not be daunted by the increasing challenge of making biblical ideals and theological ideas intelligible in the growing secularity of the public square. Neither must the movement abandon restorative justice to a therapeutic approach, nor abstain from the continuing debate over the place of punishment in restoring justice. The followers of Jesus Christ are more than just a gathering of people that practices nonviolence; they must simultaneously stands in solidarity with the victim and the wrongdoer. This is the meaning of enemy-love. In his death on the cross, Christ’s solidarity is with wrongdoers who are enemies as well as victims who suffer. Christ

264 Yoder, "Practicing the Rule of Christ," 139-143.
offers restorative justice to the offender through his open arms, symbolising the primacy of God’s gracious welcome. The promise of reconciliation embrace of God-in-Christ is a suitable introduction to part II of the thesis.
Chapter 3  Theological issues in restorative justice

God’s forgiveness is a generous gift that precedes human forgiveness.

Divine forgiveness is also the basis of human forgiving, because ‘adequate beliefs about God cannot be ultimately grounded in a way of life; a way of life must be grounded in adequate beliefs about God’. 266 Jesus’ life, death and resurrection ground the practices of justice and reconciliation in God’s character. The previous chapter outlined the small (but influential) role of four writers and practitioners who have contributed to restorative justice. The holistic Christology I propose extends and deepens the work of Zehr, Marshall, Myers and Enns and their contribution to the restorative justice movement. In this chapter will examine some additional sources of theological reflection on concerns ranging from judgment and forgiveness to reconciliation and restoration. More reflection on these matters is crucial to the movement’s future.

As explained in the introduction I will focus predominantly on the Gospel of Luke and the Acts of the Apostles. Apart from the obvious limitations of space, the Lucan material canvasses the range of Christological issues required for my proposal. Jesus’ parable of the Prodigal Son serves as a ‘core sample’ in this chapter. This text serves a number of purposes. First, the parable explores the themes of judgment,

forgiveness and reconciliation. Second, the parable foreshadows key motifs in Jesus’ own life, death and resurrection. In effect, it is the gospel ‘within the gospel’ of Luke. Third, the various scholarly approaches to Luke’s parable demonstrate both the strengths and limitations of competing models of New Testament interpretation. Three of these models are evaluated below. They are: the historical (Joachim Jeremias and NT Wright), the socio-cultural (Kenneth Bailey and Chris Marshall), the practical-theological (Eduard Schweizer and Miroslav Volf). While my own approach to the New Testament texts of Luke-Acts relies on a combination of these models, the principal consideration is theological (Jesus’ life, death and resurrection) and practical (restorative justice).

The interpretation of Luke 15 in recent Christian thought displays several theological issues that conveniently overlap with the core concerns of restorative justice, namely, judgment and justice, forgiveness and reconciliation, restorative and retributive punishment. Although the English New Testament scholar CFD Moule did not write extensively on either Luke’s gospel or in the field of social ethics, the major emphases of his writing – forgiveness, reconciliation, the place of retribution, Jesus’ death and the Holy Spirit – are highly relevant to my topic. Indirectly then and quite unintentionally, Moule is the theological ‘forefather’ of the contemporary restorative justice movement. I will clarify the enduring significance of his views of judgment, forgiveness and reconciliation for the restorative justice movement.

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267 ‘Practical theology’ or ‘theological ethics’ might also describe this third approach.
268 This is explicit in NT Wright, Chris Marshall and Miroslav Volf’s interpretation of Jesus’ parable of the Prodigal Son each of which is discussed in this chapter.
While Howard Zehr is frequently said to be the ‘grandfather’ of the restorative justice movement, the movement’s debt to Moule is rarely acknowledged despite the many overlapping themes in their respective writings. These include the place of retribution, an overtly relational understanding of forgiveness and reconciliation, and a sturdy ethic of obligation. The significance of Moule’s contributions lies in the fact that they were the product of sustained study of the New Testament, concerned primarily with Christology and attentive to the practical and public implications of theology. 

Moule sought a wider audience than the academy. He often wrote for practitioners – such as prison chaplains – about theological issues. He was well known for highlighting the differences between retribution and restoration. He did not begin as a practitioner of restorative justice who sought a theological foundation in the Scriptures but developed a Christology (based particularly on Jesus’ death and resurrection) out of the New Testament that expressed itself in public issues and practical action. 

273 Only in his later work did Moule consciously engage the restorative justice ‘movement’. See Moule, "Retribution or Restoration?,” 43 where he cites Howard Zehr. Moule’s theological heir in this areas is Stephen H. Travis, Christ and the Judgment of God: The
While some restorative justice writers might be accused of ‘reading’ restorative justice perspectives back into the Scriptures, this is demonstrably not true of Moule’s approach.

The core of Moule’s Christology was an emphasis on the death and resurrection of Jesus so that neither displaced the other.274 This had two important implications. The first is in highlighting Jesus’ role as the mediator between God and humankind.275 The second is in making Jesus the locus of God’s reconciling activity. Moule contended that more than being a mere a spiritual teacher or exemplar of redeemed humanity, ‘Jesus Christ, crucified and raised from among the dead, actually is, or constitutes that ideal society: he is the ultimate Adam, to be incorporated in whom is to belong in the renewed society’.276 His theology focused on forgiveness, reconciliation and justice not simply because of what Jesus’ taught and practiced but because they effectively constituted Jesus’ identity: who Jesus was and is according to the testimony of the first Christians. Moule

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274 C F D Moule, “The Scope of the Death of Christ,” in Forgiveness and Reconciliation: And Other New Testament Themes (London: SPCK, 1998), 13-14 where he typically highlights the inter-connectedness of Jesus’ life, death and resurrection by demonstrating that ‘in a word, it is incarnation and resurrection that lends distinctiveness to the Christian phrase ‘Christ died for us’. It is the fait accompli of the cross, plus the constant accessibility of the risen Christ, and the universal scope of God's action in Christ.’

275 C F D Moule, The Conversion of St Paul: Cambridge, 1998 (eds. Morgan and Moule; Louisville: Westminster John Knox, 2010), 206 emphasises that ‘from the beginning until this very day, with St Paul and all the other pioneers, we have been saying ‘through Jesus Christ’, as a living, present Mediator.’

276 Moule, ”The Scope of the Death of Christ,” 17.
incorporated Jesus’ person, his words and works, his status as the mediator between God and humanity, and his locus of God’s reconciling activity in the world in his Christological vision. It is Moule’s commitment to interpreting the unity of Jesus’ life, death and resurrection that enabled him to observe the wider theological and practical import of Jesus. The practical outcomes of forgiveness and reconciliation entail obligations for both the wrongdoers and their victims, and cannot be reduced to concerns that are spiritually narrow, therapeutically driven, socially effective or politically expedient. These obligations should not be understood as demanding morally heroic acts but as constituting a call for transformation that is thoroughly theological and practical.277 Too much subsequent theological reflection on forgiveness and reconciliation has centred either on Jesus’ life or death and neglected the risen Jesus and the Spirit. This needs redressing in favour of a more complete Christology. Moule argues first that

277 C F D Moule, "The Theology of Forgiveness," in Essays in New Testament Interpretation (Cambridge: Cambridge University Press, 1982), 254 adds ‘and more: a real forgiveness really received by true repentance means that the offender conceives a burning desire to make reparation and to share the burdens of the one who forgave him.’ The transformation of the wrongdoer is the subject of chapter 6 of this thesis where Saul’s Damascus road meeting with the risen Jesus is interpreted as a restorative justice encounter where I will seek to demonstrate that restitution (or compensation, or reparation) is a crucial aspect. For Saul this is both the burdens of sharing in Christ’s suffering (the ‘theological’ dimensions) and those of Ananias, the Christian community in Damascus and his ‘debt’ to the nations (the ‘practical’ dimensions).

He then demonstrates that ‘the historical figure who lived and died’ is, in New Testament thought, continuous with the ‘transcendent Lord’ particularly in Luke’s account in Acts.279

Because Moule argues that punishment has a limited scope in the New Testament, the relationship between punishment and forgiveness is a crucial aspect in his theology.280 Unlike those who declare that forgiveness must exclude the need for, or expectation of, punishment, Moule seeks to delimit the scope of punishment in the New Testament by focusing on the range of judgment motifs that are present in Luke’s gospel.281 His primary purpose is to question whether ‘suffering inflicted for disciplinary and deterrent purposes (which are entirely relevant to the gospel) is not too lightly confused with suffering inflicted for the purposes of punishment and retribution’ in New Testament thought.282 Regrettably, Moule’s helpful

281 C F D Moule, "Punishment and Retribution: Delimiting Their Scope in New Testament Thought," in Stricken by God?: Nonviolent Identification and the Victory of Christ (ed. Hardin; Grand Rapids: Eerdmans, 2007), 252-267. Cf. J Denny Weaver, "Forgiveness, (Non) Violence: The Atonement Connections," The Mennonite Quarterly Review 83 (April 2009): 319-347. Judgment in Luke’s gospel is the focus of J Arthur Baird, The Justice of God in the Teaching of Jesus (London: SCM Press, 1963), 59 who argues that ‘judgment expresses God's condemnation or punishment: "Judge not and you will not be judged; condemn not, and you will not be condemned" (Luke 6:37).’ The broader context of Lucan theology dictates the greater nuance of Travis, Christ and the Judgment of God, 218 who acknowledges more typically in Luke that ‘judgment takes the form of God's abandonment of his people to their enemies.’ In an article published in 1965, Moule proposed ‘to offer for your consideration the thesis that the word ‘punishment’ and other words related to it (especially ‘retribution’) have, if used in their strictly correct sense, no legitimate place in the Christian vocabulary.’ See further Moule, "Punishment and Retribution," 257 noting the thesis he proposes 'leads us in any case to ponder, once more, the very heart of the Gospel.' In an introductory paragraph to its republication in 2007, Pierre Allard advances four hopes if Moule’s thesis can be taken seriously. These hopes include: ‘Christian communities around the world would become forgiving and welcoming and would find in their midst a place for healing for returning offenders. Many more theologians and biblical scholars would seek to publish works challenging, from a biblical perspective, current punitive theories.’
282 Moule, "Punishment and Retribution," 254, 256 concludes ‘there are, it is true, passages, as we shall shortly remind ourselves, where the sense seems, in fact, to be retributive, but
distinction has been lost in the more common understanding of punishment as a form of discipline. He successfully disentangles the extrinsic system of rewards and penalties found in the New Testament and argues that each has a more intrinsic character. For example, Luke’s version of the ‘Sermon on the Plain’ includes

the so-called ‘rewards’ named in the beatitudes, and the so-called ‘penalties’ in the corresponding woes in the Lucan version, are not mercenarily or arbitrarily fixed. They are organically related to the attitudes for which they are so-called ‘rewards’ and ‘penalties’. The avaricious, because they are avaricious, do not know how to enjoy anything other than material riches: they already have (apechete, Lk. 6:24ff) the only ‘reward’ they are capable of receiving.

The distinction between intrinsic and extrinsic attitudes must also be applied to the restitution made by a wrongdoer. For example, compensation or reparations ordered by a governing authority (such as a court) might successfully restore some level of balance (usually measured financially) between the victim and wrongdoer. Restitution emerging from reconciled relationships is dependent on the wrongdoer’s intrinsic conversion and transformation, and the willingness of the victim to forgive. Only this can bring post-reconciliation justice in the community. In local neighbourhoods,

they are strikingly few, and I shall argue that they are not really integrated with the logic of the gospel.’ In his introduction, Pierre Allard laments the fact that, ‘it shows, once more, how through the centuries, the restorative dynamic of biblical justice has been lost and replaced by a punitive and vengeful spirit in much of Christendom. We are so far from Augustine ...’:

Moule, “Punishment and Retribution,” 258 argues ‘conversely, it is because the poor and the distressed may become thereby aware of their dependence on God that they, as a class, are capable of the permanent and inexhaustible riches of fellowship with him.’ This line of interpretation of Luke is supported by Travis, Christ and the Judgment of God, 218, 220 who argues that on the basis of ‘Luke 19:41-44 Jesus declares, not in anger but in sorrow, that the people of Jerusalem are blind to ‘the things that make for peace’ and ‘did not recognise the time of [their] visitation.’ Jesus comes in mercy, and his people fail to recognise the significance of his presence among them. God’s generosity is rejected, and the consequences of that rejection proceed to their inescapable conclusion.’ See further Thomson, The Things That Make for Peace, 5-6 and Willard M. Swartley, Covenant of Peace: The Missing Piece in New Testament Theology and Ethics (Grand Rapids: Eerdmans, 2006), 130-132.
schools and workplaces where victims and wrongdoers are known to each
other, these intrinsic acts together with rituals of restitution are
indispensable if the cycles of revenge and recrimination are to be broken
and justice is ultimately to prevail. Moule brilliantly captures the manner
in which this is achieved, simultaneously describing what I have personally
observed in inner-city neighbourhoods, churches and schools.

The first great step towards justice at the deepest level is,
paradoxically, when the victim abandons quantitative justice,
waives the demand for 'just' retribution, and begins to become
ready to forgive - that is, to meet the damage by repair. This is
the only attitude that can do justice to the diminished stature of
the victim, though this is not for a moment to deny that it may
well be proper for the victim to demand and receive
compensation in some material form … the process of justice
on the deepest level will also mean, on the other hand and
similarly, that the offender, whose stature as a person has of
course been diminished by his offence, must acknowledge the
offence, accept responsibility, transfer his concern to the victim,
and so begin to rise again to his proper stature. On both sides,
justice of a realistic sort will then begin to be done to the
realities of the situation.

Moule concludes that the concept of punishment in the documents of the
New Testament has less reach in the judgment of God than is normally
assumed. He draws attention to the ‘challenge and demand’ of God’s ‘stern’
yet ‘respectful’ generosity which acts as a ‘compass of grace’ that orientates
both rewards and punishment.

Moule’s biblical and theological insights were focused too
closely on the narrow debate between the restorative and retributive

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284 Moule, “The Theology of Forgiveness,” 256 demonstrates remarkable insight into the
relational dynamics prior to emergence of the contemporary restorative justice movement
when he observed that, ‘as for the offender's longing to recover his self respect by being
allowed to undergo punishment, that (strictly defined) is not the same thing as what I have
been calling the desire to make reparation and the urge to give himself. We can recognise,
when we see it, a full, integrated personality, combining real independence and initiative
with being open and humble towards others and able to live in community. And further,
Christians believe that in a sense personality is a known entity, since in Jesus Christ the
outlines of ideal human personality are revealed.’

285 Moule, “Retribution or Restoration?,” 42-43.

286 Moule, "Punishment and Retribution," 261.
categories of justice that characterised the times in which he was writing.\textsuperscript{287}

This has allowed some critics to dismiss his contribution. As noted earlier however, most leading restorative justice theorists – including Zehr – have abandoned what was previously thought a vital distinction. Zehr’s more recent stance does not permit punishment and forgiveness to function as rivals in responding to wrongdoing. Moule’s preferred response to wrongdoing explicitly connects his New Testament theology with models of restorative justice:

Ideally, offenders should be helped to realise the harm they have done, and to begin to be concerned about their victims … other countries are more successful than the English system in bringing offender and victim face to face, and sometimes even effecting reconciliation.\textsuperscript{288}

Moule’s theological contribution to the significant issues being dealt within the restorative justice movement is extensive. Before considering Luke chapter 15, I want to summarise three aspects of his work because they have a bearing on what follows. First, Moule shows that ‘forgiveness, real forgiveness, is undoubtedly costly to the forgiver: ‘it takes it out of you’’. Second, he argues that ‘its essence is … generosity’. Third, and flowing from the first two, forgiveness is ‘free’.\textsuperscript{289} These insights will now be applied to interpreting Luke’s Parable of the Prodigal Son.

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\textsuperscript{287} Moule, "Retribution or Restoration?", 45 asks ‘is it straining the evidence to say that what we see in the writings of the New Testament collectively is a gradual and as yet incomplete movement away from the pursuit of vindication by retaliation towards a response to the mystery of the release of repair and reconciliation and new life through Christ’s creative, life-giving self-surrender?’
\textsuperscript{289} Moule, "The Theology of Forgiveness," 253.
\end{flushright}
The parable of the prodigal son (Luke 15)

This parable, found only in Luke (15:11-32), is among the most influential and perhaps best loved of Jesus’ stories. It seems to encapsulate the entire Christian message. The parable has inspired great works by a host of artists (most notably Rembrandt), provided the themes for plays (most notably those of Shakespeare), been appropriated in musical scores, and, most recently, served as the narrative for films. The parable’s central themes of rebellion and return vividly capture the lost condition and longing for home that characterise human experience.

The following discussion concentrates on three distinct approaches to interpreting this parable – the historical, the sociological and the practical-theological. This diversity of approach originated with the early Church Fathers and has even been preserved in the work of secular philosophers including Nietzsche. As explained at the beginning of the chapter, I will limit discussion to the work of those scholars with a historical focus (such as Joachim Jeremias, NT Wright), a social, cultural and political focus (such as Kenneth Bailey, Christopher D Marshall), and a theological and practical focus (such as Eduard Schweizer, Miroslav Volf).

Interpreting Luke 15:11-32 within its historical setting

The first task of any theology claiming to be biblical is dealing with the historical context in which the texts were written. Throughout the last


291 Dunn, New Testament Theology: An Introduction, 154 concludes that ‘a New Testament theology must adopt a historical critical approach to the material … because the texts
century a number of leading scholars concluded Luke’s historical detail was mostly unreliable. Many others, both in Britain and on the Continent, took the contrary view. CK Barrett was one of the leading voices insisting that Luke’s account, considered as a historical record, should be treated with respect. Joachim Jeremias and NT Wright essentially agree with Barrett’s view. A brief survey of their interpretations of the parable reveals the strengths and limitations of a strictly historical-critical approach.

Jeremias argues that Jesus’ story is ‘good news to the despised and outcast’ not only because ‘the parable describes with touching simplicity what God is like – his goodness, his grace, his boundless mercy, his abounding love’ but because the parable is ‘a vindication of the good news in reply to its critics’. Jeremias insists this parable is not an allegory. His interpretation is fully attentive to the historical and cultural context of the story and its deeper theological significance.

Since the middle of the twentieth century when Jeremias published his critical insights themselves have an inescapable historical particularity.’ See also C K Barrett, “Historia Theologicae Genetrix,” in Aufgabe und Durchführung einer Theologie des Neuen Testaments (eds. Breytenbach and Frey; WUNT; Tübingen: Mohr/Siebeck, 2007), 205-206 is unequivocal that ‘some historical element is not only admissible but is in fact essential, without it New Testament Theology will hardly escape degeneration into a collection of texta probantia. And the historian must not scorn the contribution of philosophical questioning to supplement his historical criticism. He who is master of both history and theology will write the greatest New Testament theology.’


For example Jeremias, The Parables of Jesus, 130 demonstrates the background for grammatical choices such as τις ἐκτος ἑαυτοῦ δὲ ἐκληθὸν (‘he came into himself’ or ‘he came back to himself’) as an Aramaic expression of repentance. He also shows that the Prodigal ‘after the legal settlement he has no further claim to even food and clothing.’ Therefore on his return when his father gives him ‘the kiss is a sign of forgiveness … the high distinction of the ceremonial robe … the authority of the signet ring … the luxury of shoes worn only by free people … [and that] meat was only rarely eaten’ taken together these can only be ‘understood as forgiveness and reinstatement.’ Finally he notes that the second son’s rehearsed lines are cut short (cf. 11:19 and 11:21) and the second half of the parable involving the first (elder) son is not a latter addition, because ‘in language and content it fits the pattern of the story’ and observes the Lucan connections between ‘lost and found’ and ‘death and resurrection’.
historical reading, other similar approaches have constructed a ‘fresh reading of first-century Judaism’ believing that the Jewish context of Jesus’ life and teaching was neglected or misunderstood.\textsuperscript{295} According to NT Wright, a leading proponent of this ‘new perspective’, such an account highlights Jesus’ role as a prophet so that his teaching \textit{and} his actions are remembered.\textsuperscript{296}

Wright’s unique interpretation of the parable in Luke 15 typifies a consciously ‘Jewish’ reading of Jesus.\textsuperscript{297} He claims that the prodigal son ‘is the story of Israel … the exodus itself is the ultimate backdrop: Israel goes off into a pagan country, becomes a slave, and then is brought back to her own land. But exile and restoration is the main theme. This is what the parable is about’.\textsuperscript{298} Although Wright incorporates aspects of the cultural background in the story, the main focus of his inquiry is the historical question. It centres on how ‘Jesus is reconstituting Israel around himself’.\textsuperscript{299} Wright argues that his ‘paradigm’ not only makes sense of the parable but more importantly ‘fits perfectly into the ministry of Jesus’

\textsuperscript{295} N T Wright, \textit{Jesus and the Victory of God} (London: SPCK, 1996), xiii.
\textsuperscript{296} Wright, \textit{JVG}, 148, 150, 154 asks, ‘what would the average Galilean have perceived as Jesus came through the village? What categories would have been available for understanding what was going on? How did Jesus himself regard these basic categories?’ Wright answers that ‘the model of Jesus as prophet also, as we shall see, has the capacity to function as a basis for further study which will draw in many other features of Jesus’ life and work which may otherwise remain on the margins.’ Luke 24:19 that recalls Jesus as ‘a man who was a prophet mighty \textit{en ergo} (deed) \textit{kai logo} (word).’ Finally, he demonstrates ‘that the prophets who gained a following [in first century Palestine] often engaged not only in teaching and oracular pronouncements, but also in symbolic actions.’

\textsuperscript{297} N T Wright, \textit{The Challenge of Jesus: Rediscovering Who Jesus Was and Is} (Downers Grove: IVP, 1999), 41-42 is surprised that no one else bothers to interpret the Prodigal son’s leaving and returning as Israel’s exile and restoration. A lesser scholar than Wright might perhaps be counseled to be less surprised and more cautious when other interpreters are not convinced by the proposal.

\textsuperscript{298} Wright, \textit{JVG}, 126.

\textsuperscript{299} Wright, \textit{JVG}, 131 claims that ‘he is making a claim, a claim to be the one in and through whom Israel's god is restoring his people.’ Wright also observes that ‘the strange announcement of resurrection, twice within the parable (verses 24, 32), makes excellent sense in this context. Jesus’ actions, and his words, themselves stand in need of vindication.’
(dramatically, historically and theologically) because ‘in telling this story, [Jesus] is explaining and vindicating his own practice of eating with sinners: his celebratory meals are the equivalent, in real life, of the homecoming party in the story.’

What additional benefits are offered by Wright’s work? First, Wright takes seriously the fundamental place of the story in Luke’s gospel, highlighting the methodological constraints of historical-criticism. Second, and flowing from the first, Wright demonstrates the manner in which the parable ‘evokes the whole story line of Israel’s chequered history’ within the major motif of exile and restoration. By making the inter-textual connections between Jesus’ parables in Luke 15 and placing them in parallel with the overarching stories of Israel and Jesus’ life, death and resurrection, Wright (along with Barth and like-minded interpreters) concludes that the parable of the Prodigal Son is Luke’s ‘gospel within the gospel’. Third, the parable’s themes of reconciliation, forgiveness, restoration, generous love and resurrection are rightly located in the welcoming, forgiving and loving action of the father. The limitations of the historical approach emerge in the differences between Israel’s history and

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300 Wright, JVG, 130-131 which naturally provokes more questions like ‘is his offer merely a reckless gesture, which the hard realities of history will prove to have been empty? Are his celebratory meals simply an empty charade?’

301 Wright, JVG, 136 asserts: ‘the narrative form is unlikely to be a secondary accretion around an original aphorism: stories are fundamental.’ Green, Methods for Luke, 74-131 has championed narrative criticism in the reading of Luke’s gospel.

302 Wright, JVG, 197 and implies that ‘this story was coming to a climactic point.’

303 The motif of lost and found (Luke 15), exile and restoration (Wright) form the backdrop for Barth’s typology of reconciliation in which Jesus himself is the son who goes into the far country and then to be welcomed and celebrated at his homecoming. See further Karl Barth, Church Dogmatics (trans. Bromiley and Torrance; London: T&T Clark, 2009), §59: 150-204, §164: 119-156.

that of the first Christian communities, the contested nature of Judaism at
the time of both Jesus and Paul, and competing claims as to whether Jesus’
first hearers or Luke’s first readers are the intended audience. Wright’s
interpretation of the parable loses its specific meaning in its original
cultural, social and political context, which is equally true for allegorical
interpretations that highlight the human predicament and the dynamics of
personal forgiveness and reconciliation.305

Interpreting Luke 15:11-32 within its social, cultural and political setting

The biblical scholar Kenneth Bailey has led the recovery of the social and
cultural background to the parable by interpreting it fully in the light of its
original context.306 Bailey’s approach highlights the cultural dissimilarity
between the first hearers and the contemporary hearers of the parables. The
background he provides is now widely accepted and has been built upon by
other interpreters.307 Examples of his insights include the portrayal of the
son’s request as effectively wishing his father was dead; feeding pigs in a
far country for a Gentile employer as a depiction of the son’s ultimate

305 When the original context of Luke’s story fades from view, interpreters quickly turn to
identifying who the various people in the parable ‘represent’ (an approach which dates back
to the earliest Church Fathers) often leads to a spiritualisation of the parable, such as Henri
J. Nouwen, The Return of the Prodigal Son: A Story of Homecoming (New York: Image,
1993). The popular appeal and seeming relevance of this type of interpretation is succinctly
captured in the misleading definition of parables as ‘earthly stories with a heavenly
meaning’.

306 See Kenneth E. Bailey, Poet and Peasant: A Literary-Cultural Approach to the
Parables in Luke (Grand Rapids: Eerdmans, 1976); Kenneth E. Bailey, Finding the Lost:
Cultural Keys to Luke 15 (St Louis: Concordia, 1992) and Kenneth E. Bailey, Jesus
through Middle Eastern Eyes: Cultural Studies in the Gospels (Downers Grove: IVP,
2008).

307 Bailey, Poet and Peasant, 162-166, 181 where his observations that the prodigal’s
request for his share of the inheritance was akin to saying to the father ‘you’re as good as
dead as far I’m concerned’ and the father’s utter disregard for his own reputation as he runs
out to greet the returning son have become commonplace and a measure of Bailey’s
influence. For a recent appropriation of Bailey’s analysis of shame see Klyne Snodgrass,
Stories with Intent: A Comprehensive Guide to the Parables of Jesus (Grand Rapids:
Eerdmans, 2008), 125-126 who demonstrates the younger son’s offence was to bring
disgrace or shame on himself, his family and his village.
disgrace; the shame brought upon the father by the very fact of the son’s return; the excessive magnitude of the party suggested by the killing of the fatted calf; and, the disgrace brought on the father by the elder son’s public dispute.\textsuperscript{308}

According to Chris Marshall, who has considered the benefits of interpreting the parable from a restorative justice perspective, the cultural analysis provided by Bailey overlaps with several distinctive aspects in New Zealand Maori culture.\textsuperscript{309} His discussion of the role of shame in the parable is particularly pertinent, given its prominence in restorative justice as well his application of this parable for notions of offending and restoration as ‘prodigious justice’.\textsuperscript{310}

Marshall’s reading of the parable is structured around four key motifs: ‘offending as relational rupture … the obligation of offenders … the challenge to forgiveness … and the challenge to the law-abiding

\textsuperscript{308} Bailey, \textit{Poet and Peasant}.

\textsuperscript{309} Christopher D. Marshall, "Offending, Restoration, and the Law-Abiding Community: Restorative Justice in the New Testament and in the New Zealand Experience," \textit{Journal of the Society of Christian Ethics}, 27 (2007): 8-9, 12 notes that the influence of Bailey’s analysis, arising from someone ‘who has spent the best part of his academic career pondering this parable.’ Beyond Bailey’s profound insights Marshall argues that ‘there is still more blessing to be wrested from this parable, if we read it from a restorative justice point of view. There are two reasons why I think this is a legitimate thing to do. The first is that the main characters in the story occupy the roles of the three main parties to every incident of criminal wrongdoing: those of offender, victim, and the wider law-abiding community … the second reason why it is profitable to read the parable from a criminal justice angle: the older brother's reaction centers directly on the contestable justice of his father's action.’ The connections made between first century Palestine culture and Maori culture are numerous, such as interpreting the son’s ‘prodigal’ behaviour as ‘relational rupture’ because ‘what appears to modern Western readers to be relatively innocent teenage behavior would have surely struck Jesus' first-century Palestinian audience and many Indigenous hearers today as utterly repugnant and wholly blameworthy.’

\textsuperscript{310} Marshall, "Offending, Restoration, and the Law-Abiding Community," 7, 9 first notes that while ‘the actual terminology of justice is not used here, but without question it is the idea of justice that drives this final scene of the narrative, just as the ideas of repentance, love, forgiveness, and mercy drive earlier scenes in the story without the actual terminology being employed.’ Marshall also admits that his neglect of Luke 15 in his earlier book was ‘a major oversight, for in many ways this parable perfectly captures both the restorative impulse of God's justice and what it might mean for us to enact this kind of justice in the world.’
community.  

For him, the benefits of reading the parable ‘relationally’ is its ability to challenge the ‘taken-for-granted ways of understanding the world and its notions of justice.’ His approach attempts to elucidate the function of the parable in Luke’s gospel. Luke tells this story against the ‘taken-for-granted ways of understanding justice’ provoked by the welcome offered by Jesus, especially those included at his table. For Marshall, reading the parable through the lens of restorative justice also leads to a deepening of the task of restorative justice. Marshall’s conclusion is entirely consistent with the Lucan emphasis:

This, then, is the final challenge of this parable of restorative justice to the law-abiding community: a challenge to contemplate not only the restoration and reintegration of offenders, as an outworking of the Christian discipline of forgiveness, but also to display toward them an openhanded hospitality, a readiness to share with them what the parable calls our ‘living’ (bios) and ‘substance’ (ousia), so that they may again participate as equals in the social and economic life

311 Marshall, "Offending, Restoration, and the Law-Abiding Community," 10, 12, 15, 19 which is similar to Myers’ and Enns’ reading of Matthew 18 considered in the previous chapter, and my own reading of Acts 9 presented in chapter 6 of this thesis. It is important to note that each was unaware of the readings of the other two at the time when the respective articles and book chapters were written. Marshall advocates the restorative justice methodology irrespective of whether ‘I read restorative justice conceptions into the biblical text, or draw out of the text what was already there’ noting that in biblical studies, it is nearly always a mixture of both.’ He concludes that ‘I have found that bringing a restorative justice lens to the task of New Testament interpretation has been enormously productive.’

312 Marshall, "Offending, Restoration, and the Law-Abiding Community," 10, 11 notes ‘this relational focus of the story is not simply a narrative deduction; it is also a cultural prerequisite for a tale that was originally a Mediterranean story, told by a Mediterranean storyteller, for a Mediterranean audience.’ Marshall makes explicit the social and political implications of a cultural reading of Luke 15 compared with Bailey’s interpretation.

313 Spanning four chapters, Luke (14:1-17:10) focuses on the meaning of the gospel for the outcast. First, Jesus considered that his mission was to seek and to save the lost (Luke 5:32; 19:10; Luke 15:1-10). Second, the parables of the lost sheep and the lost coin, these two shorter parables in chapter 15 function as a prelude to the longer and more complex parable of the two lost sons. Third, the occasion for these three parables is the grumbling of the Pharisees and scribes in 15:2 and the parallel grumbling and jealousy of the elder brother mirrors the grumbling of the workers in the parable of the vineyard workers (Matt 20:11-12), the attitude of Simon toward the sinful woman who anointed Jesus (Luke 7:36-50), the disdain of the Pharisee in the parable of the Pharisee and the toll collector (Luke 18:11), the grumbling that occurs when Jesus eats with Zacchaeus (Luke 19:7), and most importantly, the grumbling of the Pharisees and their scribes at Jesus’ eating and drinking with toll collectors and sinners at the banquet put on by Levi (5:27-32).
of society. Nothing less than this qualifies, finally, as restorative justice.  

An Indian friend and colleague has witnessed the powerful effect of this story in another marginalised religious, cultural and economic context more closely resembling the situation of those who first heard it. CB Samuel, an Indian theologian who has worked in mission and community development among some of the poorest and most marginalised people in India, discovered the parable’s potency by inviting those dwelling in slums to dramatise it. The turning point for the prodigal son in the squalor among the pigs was easily reconstructed. The occupants of the slum could identify with his desire to escape the hunger, poverty, homelessness and the loss of dignity in a more profound way than most Western readers. Cultural mores dictated that a return home was impossible. They also recognised that this son had brought shame and disgrace on his father’s household. When asked if the father should receive the son, their answer was unequivocal and unanimous: their everyday experience of the same kind of religious, cultural and economic barriers made any kind of welcome inconceivable. When Samuel talked about the Father’s embrace and celebration, however, it induced tears. Their question was always the same: what kind of father is this?

The advantages of more culturally nuanced readings of the parable are twofold. First, the cultural background restricts the range of

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315 C B Samuel, personal communication, 30 July 2010.
316 Although it is a storyline that can evoke Western empathy demonstrated by the remarkable success of the film Danny Boyle and Loveleen Tandan, Slumdog Millionaire, (Fox Searchlight Pictures: India, 2008).
317 In less dramatic ways I have seen similar reactions and questions among the homeless, mentally ill and those living with addiction in Sydney’s inner city over the last decade.
meanings in its original context and offer a safeguard against overtly *spiritualising* the parable. Second, it deepens the interpretation of the text and opens up its applications to new contexts, such as those provided in Marshall’s and Samuel’s accounts.

**Interpreting Luke 15:11-32 within a theological and practical frame**

A social and cultural analysis of the parable is indispensable to its proper interpretation but does not exhaust its possibilities. As Moule, Barth and others previously noted, the parable is not just one that Jesus *told* but a story that Jesus *embodied* because ‘Jesus himself is the parable of God’.

Eduard Schweizer does not think the historical and cultural meaning of the parable of the prodigal son can be ‘frozen’ in time because it is ‘a story given to us and starts to live in us.’ The question before us in this chapter is not primarily an intellectual theological puzzle: how can God’s reconciliation be just? The best interpretations will demonstrate that God is the forgiving, reconciling, restoring father. The interpretation must not only be rigorous in dealing with the relevant historical and cultural contexts it must also be able to convince those living in a New Delhi slum or as homeless people in Sydney’s inner city that an alternative exists to the daily religious, cultural and economic exclusion they experience.

In order that this story might live in its hearers, Jesus goes to his death. Schweizer

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319 Schweizer, *Jesus, the Parable of God*, 63 indicating that the role of the risen Jesus and the Holy Spirit are more prominent, that will be developed in chapters 6 and 7. Historical and cultural deftness is displayed in Eduard Schweizer, *The Good News According to Luke* (London: SPCK, 1984), 246-252.

highlights Jesus’ words from the cross that effectively demonstrate his embodiment of the parable:

Like the father at the end of the parable, Jesus has nothing more than his heart burning with love and a few words inviting those who are around to come: ‘Father, forgive them, for they know not what they do’ – ‘Truly, I say to you, today you will be with me in Paradise’ – ‘Father, into Thy hands I commit my spirit’ (Luke 23:34,43,46). In Jesus the unimaginable love of the father in this parable has come true.321

The prayers of Jesus leading up to his death – in the garden and from the cross – form a crucial role in Luke’s presentation. Yet, they are easily overlooked by historical approaches (which measure such words against their so-called criteria of authenticity) or social and political interpretations (which appear embarrassed by Luke’s over-spiritualised account of Jesus’ death).322 Schweizer’s approach affirms the historical, cultural and theological interpretation of Luke 15:11-32.323 Miroslav Volf’s interpretation of the parable as four ‘acts’ in the drama of embrace – opening the arms, waiting, closing the arms and opening the arms again – demonstrates that attention to the literary and performance aspects of the text can serve to deepen and extend the model of interpretation provided by Schweizer.

Drawing on the idea of embrace, Volf makes the following theological claims.324 First, the image of God’s ‘embrace’ is the

321 Schweizer, Jesus, the Parable of God, 65.
322 Chapter 5 includes a detailed exegesis of Jesus’ prayers in Luke’s account of his death.
323 Schweizer, Jesus, the Parable of God, 93-94 against the excesses of historical-critical approaches affirms ‘the central data of Jesus’ ministry, his death and his resurrection appearances are reported in a trustworthy way by our texts.’ Against the excesses of social-political approaches he highlights the spiritual affirmation that ‘God’s hard and unshakeable love can nowhere be detected better than in Jesus Christ.’
324 Volf, Captive to the Word of God, 43 notes ‘at the heart of every good theology lies not simply a plausible intellectual vision but more importantly a compelling account of a way of life, and that theology is therefore best done from within the pursuit of this way of life.’ [emphasis retained]
‘overarching narrative’ of the Scriptures. Second, the invitation of God-in-
Christ in which ‘the arms stretched of the crucified are open’ denotes the
achievement of the cross. The third is the concrete expression of the father’s
embrace of the returning son in parable from Luke 15, a ‘metaphor for
reconciliation’. The drama’s first act is referred to as ‘Opening the Arms’
because the father lets the son go – accepting that he ‘cannot tightly hold’
onto his son and open his arms to embrace at the same time. Act two is
called ‘Waiting’ and the father remains the central character. Volf observes
four characteristics in the father’s patient expectation:

Away from home, the son remained in the father’s heart and
memory making possible the son’s eventual return … directed
the father’s expectant gaze toward the distant land … filled the
father’s heart with compassion when he saw the son returning
… made the father forget himself and run and put his arms
around the son, embrace and kiss him (v.20).

The father’s waiting enables him to ‘remember rightly’ so that when his son
returns he embraces the wayward son. The climax of the drama of embrace
– the third act – is ‘Closing the Arms’. Volf highlights the mutuality of
genuine embrace where both parties give and receive and ‘discover that I
am not only the host but also a guest … and my friend discovers she is the
host as well as the guest’. The moment of reconciliation involves
forgiveness and transformation because ‘in the mutual giving and receiving
of such an embrace, both people see themselves and each other in new
light’. The drama of embrace comes full circle, because the fourth and final

325 Volf, Exclusion and Embrace, 31, 126, 140. See also Miroslav Volf, "A Vision of
act is ‘Opening the Arms Again’. Without this fourth act the embrace becomes ‘oppressive – the person embraced must be released’.  

The drama of embrace interprets the parable Jesus told and succinctly describes God’s act of reconciling the world through Jesus’ life, death and resurrection (2 Corinthians 5:18-19). For Volf, God’s reconciling embrace stands at the centre of the New Testament and at the heart of distinctively Christian theology where the demands of both divine justice and forgiveness are met and satisfied. The theology of embrace qualifies as practical because Volf begins and ends two of his major works by imagining what an embrace of his own enemies would involve. The father’s embrace of the prodigal expands to include God’s reconciling embrace of humanity in Christ, but also delves deeply into the enmities and hostility of daily experience.

I would contend that an interpretation that is both theological and practical must be grounded in the whole arc of the Christ-event. Jesus reveals the character of God as a just and forgiving Father in what he taught (for example Luke 6, 15), how and why he died (e.g. Luke 22-23), in his risen life (e.g. Acts 9, 22 and 26) and the Spirit’s presence in the early Christian communities (e.g. Acts 16). Each one of these elements forms the basis of the next four chapters in this thesis. But at this point I am able to say that the comparison of different scholarly approaches to Luke’s parable has demonstrated the following principles adopted for my engagement with

326 Volf, Exclusion and Embrace, 140-145 where the tragic irony of the son who remained with the father is that he misunderstood his father’s embrace in this ‘oppressive’ manner, not understanding that his father’s loving embrace was patterned on this opening-closing-opening again. Volf rightly notes this is the tenor of the father’s comment to this son: ‘Son, you are always with me, and all that is mine is yours (Luke 15:31).’


Luke-Acts. First: attending to the historical setting of the text, including the relevant grammatical and critical features within it. Second: paying attention to the social, cultural and political dimensions of the text including the everyday, social meanings of Jesus’ person and work which emerge in these. Third: drawing on theological and practical connections from the text by attending to the central motifs and practices and noting its narrative shape including words, actions and prayers.\textsuperscript{329}

In the next part of this chapter, the theological issues raised by the parable of the prodigal son will be addressed. If it is indeed the ‘gospel within the gospel’, I need to ask whether the reconciliation of father and son is accomplished apart from judgment? Further, why is there no punishment for the son’s wrongdoing? Is justice done? The theological notions of judgment and punishment will be canvassed before I turn to a theological consideration of forgiveness and reconciliation.

\textit{Theological notions of judgment and punishment}

In contemporary discourse, debates focusing on the most apposite response to crime and wrongdoing tend to polarise people who think society ought to be either more or less punitive. This prompts the question: is the restorative justice movement (regarded as siding with the ‘less punitive’ argument) and mainstream Christian theology (regarded as siding with the ‘more punitive’ argument) necessarily on opposing sides? While examples of non-punitive theology and restorative arguments for punishment are not hard to find, the

\textsuperscript{329} Volf, \textit{Captive to the Word of God}, 14 concludes ‘in my judgment, the return of biblical scholars to the theological reading of the Scriptures, and the return of systematic theologians to sustained engagement with the scriptural texts - in a phrase, the return of both to theological readings of the Bible - is \textit{the most significant theological development in the last two decades.}’ [emphasis retained]
popular perception that they are diametrically opposed remains largely unchallenged.

The British theologian Timothy Gorringe, after exploring the relationship between the theology of atonement and what he calls ‘penal strategies’, argued that in the light of its own manifest inadequacy, theology should abandon its justification of punishment.\(^{330}\) Significantly, he rejects the positive role of punishment in the theology of ‘the Deuteronomist’ and across a diverse range of theological thinkers like Soren Kiekegaard, Simone Weil and Walter Moberly.\(^{331}\) Gorringe concludes that this area is ‘an instance of the children of this world seeing more clearly than the children of light.’\(^{332}\) While he identifies Michel Foucault’s *Discipline and Punish* as ‘the most famous thesis on penal theory in recent times’, he does not offer any substantive commentary of his own on the ‘famous thesis’. For this reader, Gorringe’s concerns about punishment are markedly different from those of Foucault.\(^{333}\) In summary, Gorringe dismisses the ability of punishment to achieve any sense of justice. He asserts:

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\(^{331}\) Gorringe, *God's Just Vengeance*, 239-242.

\(^{332}\) Gorringe, *God's Just Vengeance*, 241.

\(^{333}\) Gorringe, *God's Just Vengeance*, 129. In brief, the crux of Foucault’s critique is not punishment as the deprivation of liberty, but the construction of delinquent identity through the power of ‘normalisation.’ My engagement with Foucault is necessarily brief. Johanna Oksala, *How to Read Foucault* (London: Grantu Books, 2007), 60 highlights Foucault’s emphasis on the spatial dimensions of prisons. For Foucault the modern soul is ‘the prison of the body’ because it is ‘born out of methods of punishment, supervision and constraint.’ In prison a ‘coercive power is internalised and the prisoner becomes his own guard’ producing ‘docile bodies’. Foucault provides a ‘genealogical’ critique of contemporary modes of punishment focused on the prison system that emerged from his voluntary work in collecting and publishing information about the poor conditions inside French gaols. See further Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Vintage Books, 1979), 257 where he notes the intervention of psychiatry within the field of criminal justice so that ‘punishment’ increasingly gave way to ‘correction’. See also C S Lewis, "A Humanitarian View of Punishment," in *God in the Dock: Essays on Theology*.
Given that the burden of punishment falls undeniably on the poor of any community, given, in other words, the structural sin of which criminality is in some ways but a symptom, it can be argued that punishment is not justifiable until we have brought about deep social, political, legal and moral changes in ourselves and our society - by which time there might be no need for punishment.  

While I am broadly sympathetic to these concerns, the necessity of punishment for good order (what Yoder calls the ‘societal function’ of punishment) in the inner-city communities with which I am familiar makes postponing punishment until achievement of the holistic social goals demanded by Gorringe both unworkable and undesirable. By way of illustration, punishing the wrong-doer (usually some form of sanction or ban from the community) was necessary for the safety of the victim and the well-being (shalom) of the community, as well as being an integral part of the restorative practice intended to benefit the wrongdoer. The possibility that such punishment would multiply injustice (the concern noted by Gorringe) was, of course, ever-present but it was an unavoidable possibility in a community of continuing and evolving relationships. The problem is essentially this: Gorringe sets his argument within a historical account of


334 Gorringe, God’s Just Vengeance, 1-5, 259. This closes the circle for Gorringe who began his account with a story of both the Wesleys and John Fletcher who ministered to many in prison before they were hanged for their offences. Gorringe notes they ministered without ever asking the question of whether the law might be wrong or even wicked.


336 See critique along the same lines by O'Donovan, The Ways of Judgment, 105-106 who believes ‘the failure to develop a convincing alternative is the chief weakness of Timothy Gorringe’s God’s Just Vengeance, a recent essay, as I read it, in the genre of radical critique … Gorringe, confining himself to the correlation of historical practice with historical thought, avoids confronting modern penal practice directly, together with the dilemmas it faces.’

337 The arrest, imprisonment and then release to the Gacaca courts in post-genocide Rwanda is another demonstration of the need for sanction or punishment to protect victims and communities after wrongdoing. See further Catherine Claire Larson, As We Forgive: Stories of Reconciliation from Rwanda (Grand Rapids: Zondervan, 2009), 50-59.
predominantly nineteenth century European penal thinking and practice.

Through his interaction with the ‘satisfaction theory’ of Jesus’ death,
Gorringe constructs a series of proposals designed to recast standard
approaches to theology, criminal justice and dealing with violence.\(^\text{338}\) His
desire is to move beyond satisfaction models to what he contends are more
biblical interpretations of Jesus’ death, such as redemption and
reconciliation, reflecting God’s justice which does not, he thinks, need
‘satisfying’.\(^\text{339}\) I will demonstrate that Luke sees Jesus’ death as both \textit{by} and
\textit{for} his enemies in chapter 5. This duality does not fit neatly either model of
atonement presented by Gorringe.

In contrast to Gorringe’s overwhelmingly negative view of
punishment, Ricoeur thought that contemporary culture had lost its
competence and authority to judge rightly and this, he contended,
undermined its ability to enact justice.\(^\text{340}\) Against the tide of popular
sentiment, Ricoeur provided sustained critiques of the character and inner
logic of evil. He hoped that societies might respond and act differently
through naming rather than merely trying to understand wrongdoing, and by
finding solidarity and ‘wisdom from the ethical and political struggle
against evil.’\(^\text{341}\) Greater suffering – not more punishment – was needed
because, ‘Christ has conquered nothingness by annihilating himself on the

\^\text{338} Gorringe provides a reading of the historical interaction of theology, criminal justice and
violence that tries to prove what many within restorative justice have long suspected: the
collusion of penal justice and ‘satisfaction’ views of Jesus’ death effectively creates,
sustains and encourages punitive sentiment in society. The validity of Gorringe’s reading is
challenged by O'Donovan, \textit{The Ways of Judgment}, 105 who notes, rather acerbically, that
‘Gorringe's purpose is less to illumine our dilemmas about punishing than to warn us off
the notion of Atonement as satisfaction.’

\^\text{339} Gorringe, \textit{God's Just Vengeance}, 232-235.

\^\text{340} Ricoeur, \textit{The Just}, 127-132.

\^\text{341} Paul Ricoeur, \textit{ Evil: A Challenge to Philosophy and Theology} (trans. Bowden; London:
Continuum, 2004), 56, 63-64.
Naming or judging wrongdoing as the prime struggle against evil essentially involves the absorption of wrongdoing. In subsequent chapters I will build on Ricoeur’s insights in an intentionally Christological manner.

O’Donovan links justice and judgment in a way that is similar to Ricoeur but appears to admit a greater role for punishment. Its relation to judgment is in its ‘expression’ or ‘communication’. This is most clearly seen in God’s response to wrongdoing:

Divine punishment … is God’s disclosure of himself as our good, revealing the truth of our wrong … for this reason Christians have always found it necessary to speak of divine punishment in connection with the atonement, for the atonement is the supreme demonstration of God’s ‘covenant - faithfulness’.

What punishment should accomplish is ‘the justice of an act of judgment, i.e., its truth and effectiveness’ because punishment properly conceived as an ‘expressive’ act is actually ‘telling the truth about an offence.’

O’Donovan shares Volf’s distrust of both the victim’s or the offender’s capacity for ‘telling the truth’ about wrongs committed to them or by them. For O’Donovan, ‘the punishment of an offender requires the community to devise a truthful response to the offence.’ This is best achieved from a Christian point of view by removing the ‘victim’s benefit’

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342 Ricoeur, Evil, 60.
343 O’Donovan, The Ways of Judgment, 107, 118 argues that ‘if punishment addresses the offender with a truth to be grasped, we will wish to shape our punishments, as far as possible, to facilitate, or at least not to obstruct, the grasping of it. Judgment offers society the truth about itself, just as it offers the offender the truth about himself.’
347 O’Donovan, The Ways of Judgment, 113 notes ‘which is a purposive action, not a blind consequence or an instinctive reaction.’
from consideration.\textsuperscript{348} What, then, benefits victims? It is not the punishment handed to wrongdoers but their willingness to make restitution. In this line of reasoning, restitution is an expression of reconciled relationships and punishment an expression of proper judgment. Restitution and punishment can, therefore, be complementary responses to wrongdoing. When the wrongdoer either returns what was stolen or repairs what was broken, sometimes punishment can take the form of restitution. Notably, a victim’s need for restitution is not met through punishment where the wrongdoer faces a fine or imprisonment. In my view, O’Donovan’s highly nuanced view of ‘punishment as enacted judgment’ reflects its role in the New Testament and redeems it from vengeance.\textsuperscript{349} Restorative justice theorist Lode Walgrave makes a helpful distinction here: the essence of this kind of justice intends ‘punishment as a means, restoration as a goal.’\textsuperscript{350}

Volf’s proposes yet another approach to dealing with wrongdoing. It is by recognising the ‘failure’ of punishment as an effective response to wrongdoing. This failure can be observed in both the enormity and ordinariness of wrongdoing. There are, he notes, unspeakably evil crimes against humanity that demand a response. These range from the

\textsuperscript{348} O’Donovan, The Ways of Judgment, 155 contrasted with most restorative justice literature, in which the needs of the victim have been made paramount in the justice-making process. Nonetheless, O’Donovan maintains that ‘the importance of this move can hardly be over-emphasised. The satisfaction proper to the victim, Christians thought, was simply that his or her grievance was God’s concern, a matter of public judgment. Over and above that, any satisfaction the victim might take in the punishment of the offender could be no more than personal vengeance … it is a measure of the deep de-Christianisation of our times that it is once again possible to speak in public of the victim’s interest in punishment.’ This view is in sharp contrast to that of Christopher D. Marshall, "Christian Care for the Victims of Crime," Stimulus 11 (2003): 11-15. Theologically, the inclusion of victims has been commensurate with a rejection of the punitive sentiment of the criminal justice system.

\textsuperscript{349} O’Donovan, The Ways of Judgment, 107-108.

genocides perpetrated by Hitler, Stalin, Mao and Pol Pot to those committed more recently in Rwanda, the Darfur region of Sudan and in Libya.

Australia, too, has its own history of systematic injustices committed against Indigenous people. But Volf wonders what the ‘adequate punishment’ might involve for those responsible for wrongdoing of this complexity and magnitude?

Punishment alone falters before the enormity of such crimes … go to the opposite end of the scale of wrongdoing and punishment still seems unworkable? … if each of us was punished for every transgression we committed – for every sarcastic remark, for every unkind thought, for every intentionally misleading comment. We wrong others all the time, even if only slightly.\(^{351}\)

Volf observes that from the unimaginable to the commonplace, ‘punishment is a very rough tool – even inadequate tool – for dealing with wrongdoing.\(^{352}\) Theological arguments recognising the important but limited scope for punishment in the Scriptures actually offer rich resources for restorative justice. In my opinion, arguments that reject punishment are unconvincing because they are based on selective appeals to Scriptures. The opposing position, which appears too enthusiastic about punishment, is often grounded in a one-dimensional view of Jesus’ death as ‘satisfaction’ for human wrongdoing, thereby neglecting its wider meaning and the broader implications of Jesus’ life and resurrection. Recognising the important but albeit limited scope for punishment in Scripture has, in my estimation, the additional benefit of providing scope for restitution or making amends as the continuing work of justice on the other side of

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\(^{351}\) Volf, *Free of Charge*, 135 is not trivialising sin because, ‘every honest assessment of the human condition; from the apostle Paul to the reformer Luther and even to philosopher Friedrich Nietzsche (who said ‘to live is to be unjust’) has concluded that all human beings are under the power of sin and live unjust lives before the eyes of a just God.’

\(^{352}\) Volf, *Free of Charge*, 136.
reconciliation. Volf’s observation that the distorted memories of both the victim and the offender cannot offer a reliable account of these obligations beyond reconciliation unless the memory of both is redeemed as well.  

Otherwise, it is likely that the offender (and his or her community) would acknowledge too little by way of obligation. This would potentially inflict additional harm on the victim. Conversely, the victim (and his or her community) may demand too much, especially if their sense of hurt or grievance degenerated into an avenue for payback and revenge. Reconciled relationships through redeemed memories are, therefore, the only reliable basis for making amends.

*Theological notions of forgiveness and reconciliation*

The Anabaptist theologian J Denny Weaver helpfully explores those things that precede the act of forgiveness in the context of a commitment to nonviolence. In my view, he unreasonably criticises Volf’s theology of forgiveness which holds that justice is affirmed and transcended by forgiveness and reconciliation. This is not an accurate portrayal of either Volf’s specific views or the theological outlook that Weaver seeks to refute. Weaver maintains that it is the nonviolent love of God that overcomes evil in Jesus’ death. God is able to ‘forgive without first exacting justice’. It is

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353 Volf, *The End of Memory*, 180 echoing Bonhoeffer notes: ‘in standing before Christ, the wronged and the wrongdoers will see themselves and each other as does Christ, the just Judge who is full of mercy. Indeed, they will see each other and themselves with the eyes of Christ, for union with Christ begun in this life will be completed at the threshold of the world to come.’ [emphasis retained]

354 Weaver, "Forgiveness, (Non) Violence," 343 contends ‘that nothing less than our image of God is at stake: does God resort to violence or is God non-violent in the saving work of Jesus’ death?’

355 Weaver, "Forgiveness, (Non) Violence," 329-338 in spite of the fact that Volf argues that justice is affirmed and transcended for reconciliation to occur. In chapter 6, I develop Volf’s understanding of the relationship between justice and forgiveness and reconciliation by arguing that God’s restorative justice requires the simultaneous naming and forgiving of the wrongdoer, followed by restitution as the obligations of post-reconciliation justice.
the repentance of the wrongdoer involving a change of allegiance ‘from the powers of evil to the reign of God’ that precedes forgiveness.\textsuperscript{356} If Weaver’s argument prevails, we are obliged to concede that self-giving love is rendered powerless in the face of un-repented wrongdoing because God’s self-giving enemy-love as expressed through Jesus’ death is ultimately unable to overcome enmity.\textsuperscript{357} This concession is untenable and, in my view, wholly unnecessary. Ironically, the unintended consequence of Weaver’s affirmation of God’s nonviolent love is to render Jesus’ enemy-love in Luke 6 impotent while its subsequent demonstration on the cross in Luke 23 becomes unnecessary. The ‘love of Christ’ no longer ‘compels’ anyone (cf. 2 Cor 5:10).\textsuperscript{358} But the apostle Paul declares it is the reconciling action of God-in-Christ – and not the repenting action of the wrongdoer – that precedes forgiveness. This is why Weaver’s line of reasoning which posits forgiveness-without-atonement must be rejected.

Volf offers the more convincing argument that because ‘forgiveness is not a reaction to something else’ it must encompass an eschatological goal. It is ‘the beginning of something new’ that redeems and transforms both the act and memory of wrongdoing. He thinks that ‘to forgive means most basically to give a person the gift of existing as if they had not committed the offence at all.’\textsuperscript{359} Forgiveness and reconciliation are, therefore, the principal expressions of God’s will and the heart of God’s

\textsuperscript{356} Weaver, "Forgiveness, (Non) Violence," 342.
\textsuperscript{357} Weaver, "Forgiveness, (Non) Violence," 319 whereas the interpretation I offer of Luke 23 demonstrates the transformative power of Jesus’ enemy-love enacted from the cross.
\textsuperscript{358} Leon Morris, \textit{Testaments of Love: A Study of Love in the Bible} (Grand Rapids: Eerdmans, 1981), 156-157 is preferable because it underlines the significance of God’s self-giving love which \textit{seeks out} those lost from relationship with him: ‘Luke links the parables of the lost sheep (Luke 15:4-7) and the lost coin (Luke 15:8-10) with that of the prodigal son (Luke 15:11-32). The first two forcefully bring out the truth that God actively seeks sinners.’ [emphasis retained]
\textsuperscript{359} Volf, \textit{Free of Charge}, 175, 209.
The forgiving, reconciling embrace of God is demonstrated vividly in the previous discussion of the prodigal son.

**Conclusion**

Moule characterised God’s justice as ‘restorative justice’ and argued that it was ‘ultimately the only way to justice – yes, justice! – on the deepest level, and the only ultimately effective reply to wrong.’ Reconciliation is a gift of grace. This is not because it cost nothing but because the price was ‘willingly paid … by the donor himself’. Writing a generation after Moule, Chris Marshall connected this revised appreciation of biblical notions of punishment and retribution with the concerns of the emerging restorative justice movement. He recognised that punishment played a crucial role in the enacting of God's justice. Marshall asserted that the punishment imposed by God or the community of faith nearly always had a redemptive intent. He referred to this element as ‘restorative punishment’ arguing that it is the ‘pain of taking responsibility’.

This account was similar to the concept of intrinsic penalties devised by Moule and later

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360 Volf, *Free of Charge*, 140, 143-154 works out the implications of this within the broad parameters of creedal orthodoxy: ‘satisfaction … union with Christ … Christ our righteousness’ (148-9), and ‘transformation and imputation’ (149-151); in which the response is ‘faith’ (151-153) and ‘repentance’ (153-154).

361 Jones, *Embodying Forgiveness*, 5-25, 121-122, 253-254, 290-296 shows ‘the Christian doctrine of God, as I have been explicating it, holds that God is pure self-gift, and that God’s ‘costly’ forgiving is enacted not through a transaction demanded by God, but through the painful embodiment of forgiving love – even to the point of Gethsemane, Calvary and Emmaus … God, therefore, in the face of human wrongdoing, moves in love to seek reconciliation through ‘costly forgiveness.’ This is a very central idea for Jones and is starkly contrasted with the dynamics of ‘therapeutic’ forgiveness. In chapter 5, I examine Luke’s account of Jesus’ forgiveness from the cross as ‘painful embodiment of forgiving love’ (23:26-43).


363 Moule, "The Theology of Forgiveness," 253 where a recurring theme is forgiveness ‘uses you up’.

364 Marshall, *Beyond Retribution*, 145, 198
promoted by another biblical scholar Stephen H Travis.\textsuperscript{365} Marshall claimed that ‘judgment works itself out non retributively inasmuch as God ‘gives people up’ to experience the consequences of their own free choices.’ This means that ‘if God works for restoration up until the very last moment, so too must we.’\textsuperscript{366} Here Marshall seems to allow for God’s final judgment lying beyond the intrinsic punishment system of deed-consequence. I will discuss this matter in chapter 6 and explore its connection with final reconciliation or judgment. The question that remains here is this: does the ‘pain of taking responsibility’ fully encapsulate the obligations that result from wrongdoing?

The following chapters will demonstrate the process of enacting and practicing the costly forgiveness embodied in Jesus life, death and resurrection. Throughout his life Jesus taught that the willingness or the capacity to forgive (as God forgives) is an essential practice in loving those who have wronged us (Luke 6). Nurturing the desire to forgive is the first imaginative step of the process. I will describe the role of remembering, seeing and desiring within this first step. Through Jesus’ death, ‘imagined’ forgiveness becomes a public commitment in the language of prayer that God will forgive those who wrong us. Conversation is the second step towards forgiveness which, I will argue, require naming, questioning and forgiving. It may be many years of desiring and praying for God to forgive before the actual moment of forgiveness arrives. Through long and difficult conversations, naming and forgiving are held together through asking the

\textsuperscript{365} Travis, Christ and the Judgment of God, 218 states that ‘judgment takes the form of God's abandonment of his people to their enemies.’

\textsuperscript{366} Marshall, Beyond Retribution, 195 application of restorative punishment with regard to eschatological judgment is not as compelling which will be discussed in chapter 6.
right questions. In Jesus’ resurrection we discover that forgiveness and reconciliation are embodied as resurrection acts. The costly wounds of wrongdoing are absorbed by victims and repaired by wrongdoers through the embrace of the risen, crucified Jesus. Resurrection, forgiveness and reconciliation are all God’s action in Christ. The life of the early Christian communities were animated by the reconciling practices of the Holy Spirit and ought to be similarly visible in Christian communities today.
Chapter 4  Jesus’ life and restorative justice

Jesus’ teaching in Luke 6 (often referred to as the ‘Sermon on the Plain’) is a major strand in his ethical instruction. The command concerning enemy-love (Lk. 6:27-38) is the focus of Scriptural engagement in this chapter on the thesis. The application of Jesus’ teaching within contemporary restorative justice is interpreted through an over-arching commitment to nonviolence and as evidenced in the recent work of Myers and Enns. I will argue that while the German theologian and pastor Dietrich Bonhoeffer’s protracted reflection on Jesus’ teaching shares this commitment to nonviolence, it locates enemy-love as the centre of Jesus’ words and deeds. As I will explain for me Bonhoeffer’s thought points to the key elements of Jesus’ enemy-love that should inform and shape restorative justice theory and practice.

Jesus’ teaching within restorative justice

Jesus’ life and death are intimately connected. Their connection requires that they interpret each other. Following Bonhoeffer, I contend that the concept of enemy-love makes better sense of Luke’s account of Jesus’ life and death than a commitment to nonviolence. In his exploration of Jesus in the writings of Yoder and Bonhoeffer, Hauerwas argues that

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367 See also Matthew 5-7 (‘Sermon on the Mount’). The main differences between the synoptic accounts can be left to one side but I note Luke’s inclusion of Jesus’ ‘woes’ at this point (cf. Matt 23). Here I follow Warren Carter, "Love Your Enemies," Word & World 28 (2008): 16-17 who found that ‘while many assert the saying’s authenticity, it often plays little role in reconstructions of the historical Jesus. Fine studies of the historical Jesus by John Dominic Crossan, John Meier, and William Herzog, for example, give it either little or no attention.’

368 In the following chapter I will argue the commitment to nonviolence in Yoder’s thought distorts his interpretation of Jesus’ death and conclude that he only allows Jesus’ death to be interpreted as by but never for his enemies.
the eschatological character of the Sermon is nowhere more apparent than in Jesus’ charge that we are not to retaliate against those that would seek to do us harm as well as his demand that we are to love our enemies. To so live requires the patience that is made possible through the cross.\textsuperscript{369}

Hauerwas’ observes that Jesus’ teaching can only be practiced when it is interpreted through an appropriation of Jesus’ death. This directs attention towards the embrace of enemy-love.

Restorative justice properly acknowledges Jesus’ expectation that his teaching should be practiced in the everyday contexts of wrongdoing and enmity.\textsuperscript{370} The work of Myers and Enns exhibit this practical orientation.\textsuperscript{371} Jesus’ exhortation that disciples practice a justice that ‘exceeds that of the scribes and Pharisees (Matthew 5:20)’ is fundamental to his teaching on issues ranging from retributive justice (Matthew 5:38ff) to the radical treatment of enemies (Matthew 5:43ff).\textsuperscript{372} In their exposition of Jesus’ teaching Myers and Enns identify the themes of nonresistance and nonviolence. They argue that

Jesus’ fifth antithesis does not follow the retributive logic of Deuteronomy that perjurers must be punished for the same crime for which they falsely accused: ‘Eye for eye, tooth for tooth’ (Deut 19:21; see also Exod. 21:24). Instead, he calls for

\textsuperscript{369} Stanley Hauerwas, "Dietrich Bonhoeffer and John Howard Yoder," in \textit{Sermon on the Mount through the Centuries} (Grand Rapids: Brazos, 2007), 207-222. Hauerwas rightly observes that Jesus’ teaching to love the enemy in the Sermon on the Mount (Matthew 5:43-38) provides a ‘dramatic vignette’ in the gospel narrative for both Dietrich Bonhoeffer and John Howard Yoder. However, Hauerwas interprets Bonhoeffer through the theological commitments he shares with Yoder which are also common to scholars surveyed in chapter 2, such as Myers and Enns, Marshall and Zehr.

\textsuperscript{370} From the inner city neighbourhoods where I have ministered through to post-genocide nations such as Rwanda - sites of real-world conflict – are less interested in abstract theological reflection than the practical implications of Jesus’ teaching.

\textsuperscript{371} See Myers and Enns, \textit{Ambassadors of Reconciliation I}. Myers and Enns, \textit{Ambassadors of Reconciliation II}.

\textsuperscript{372} Myers and Enns, \textit{Ambassadors of Reconciliation I}, 53 where the authors note what many others miss, that Jesus addresses legal-criminal matters and that ‘this list of ‘case studies’ addresses both offenders (the first three) and victims (the second three).’ Noting Matthew’s tenfold repetition of φυλακή (‘prison’, Matt 5:25; 14:3, 10, 25; 18:30; 24:43; 25:36, 39, 43-44), the authors suggest that ‘it was part of his [Matthew’s] community’s experience.’
nonviolent response, understanding that a perjurer is no longer a victim but a violater who must be exposed (Mt 5:38-42).\footnote{Myers and Enns, Ambassadors of Reconciliation I, 54 mentions the work of Walter Wink who ‘has shown that Jesus’ instructions to turn the other cheek and give up one’s coat are acts of creative, nonviolent defiance, not capitulation. ‘This ‘third way’ between passivity and violent struggle is the strategy of those who, in the absence of a reliable legal or mediated process, must defend their dignity and advocate for justice.’}

Attentive to the Biblical narrative, Myers is careful to show that ‘Jesus’ culminates his instructions on restorative initiative in the sixth antithesis: inviting disciples to love their enemies.\footnote{Myers and Enns, Ambassadors of Reconciliation I, 54-55 underscores the radical call of Jesus’ command by interpreting the background passages cited in light of the social and political context of Matthew’s audience: ‘He cites a command found in Leviticus 19, a portion of Torah devoted to social ethics: You shall not hate in your heart anyone of your kin. You shall reprove your neighbor … you shall not take vengeance or bear a grudge against any of your people, but you shall love your neighbor as yourself’ (Lev 19:17f). This articulates an ethos of civility and solidarity reserved for the other members of one’s body politic. It was understood to be a central statute which is why the Levitical formula is cited twice more in Matthew’s gospel (19:19; 22:39) and five other times in the New Testament (Mk 12:31; Lk 10:27; Rom 13:9f; Gal 5:14; Jas 2:89), not to mention various rabbinic writings from the period. \textit{But Jesus unmask[s] the darker flip-side of this conventional wisdom, namely, that love for one’s own must sometimes translate into hatred of an enemy. In the New Testament, hatred (Gk miseō) usually describes how God’s people are treated by their adversaries. Luke’s Magnificat, for example, cites Israel’s traditional petition ‘to be saved from our enemies, from the hand of all that hate us’ (Lk 1:71 = Ps 18:17). Those ‘enemies’ eventually did surround the Jews as Luke 19:43 puts in an allusion to the historic Roman siege of Jerusalem in 70 C.E. Indeed, in the generation following that national disaster, Matthew had plenty of reason to hate an imperial enemy who hated his people.’ [emphasis retained]} Myers and Enns then proceed to construct a cogent argument for the practice of loving enemies from the character of God demonstrated in Jesus’ death on the cross.

Jesus’ teaching implies something much more demanding than mere pacifism, which requires only that we refuse to kill our enemies. It invites us to love them … Justice remains the goal of the restorative response, which is what Matthew 18 lays out carefully. The adversary must be held accountable, but never dehumanised, never hated, and certainly never killed. Paul understood this clearly: ‘If your enemy hungers, feed him; if he thirsts, give him drink’ (Rom 12:20). For the apostle this ethic is predicated upon the character of God: ‘While we were enemies we were reconciled to God by the death of God’s Son’ (Rom 5:10). So too for Matthew, who concludes his antithesis with the exhortation to ‘be mature as your heavenly Father is mature’ (Matt 5:48).\footnote{Myers and Enns, Ambassadors of Reconciliation I, 56-57.
The practical dimension of Jesus’ call to enemy-love – such as holding the adversary to account – is explicitly stated. Jesus demands a restorative response that seeks to reconcile. In their work, Myers and Enns have deepened the interpretation of Jesus’ teaching on enemy-love and broadened its application to restorative justice while remaining unequivocal about its goal of justice. This is, they point out, because ‘justice remains the goal of a loving, nonviolent, restorative response.’ Moule also notes the ‘difference between an offer of forgiveness and the ability to accept it … [because] offering forgiveness that is refused remains different from wreaking vengeance.’

**Jesus’ life and teaching in Luke’s narrative Christology**

More recent developments in New Testament research have derived a richer theology from literary as well as historic-critical perspectives. Because

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376 Ched Myers, "If We Could Read the Secret History of Our Enemies… (Matt 5:43-48)," *Duke Chapel Sermon* 18 May 2008, available from <www.chapel.duke.edu/media/index.aspx> (Date accessed: 23 November 2009). In his sermon, Myers asserts that ‘we, however, persist in clinging to our deeply rooted conviction that our society and our cosmology are ultimately retributive: criminals must be punished, and enemies vanquished. Which is why we sincerely believe that what Jesus is asking here is unreasonable, impossible and in fact absurd. And so we Christians look the other way from this commandment.’

377 Myers, "If We Could Read the Secret History of Our Enemies… (Matt 5:43-48)," where his challenge is ‘now of all Jesus’ commandments, the one we Christians have most consistently and stubbornly ignored in our teaching—and compromised or rationalised away in our practice—is his very clear instruction to love our enemies … our gospel reading must honestly be called a ‘text of terror’ for the church. And we have to report to you sadly that there is just not much an exegete can do to save us from its straightforward meaning. Theologians and biblical scholars can—and do—avoid this teaching, but we can’t manage to make it say something else.’

378 C F D Moule, "A Difficult Parable: Matthew 18:21-35," in *Christ Alive and at Large: The Unpublished Writings of C.F.D. Moule* (eds. Morgan and Moule; Louisville: Westminster John Knox, 2010), 120-121 returns to one of his favourite themes by noting that ‘the New Testament which, though not yet completely eliminating the concept of vengeance, has spun it to the circumference by the centrifugal force of the death of Christ.’

379 During the last 150 years the historical reliability of the gospel writers has been rigorously challenged with particular suspicion of Lucan historiography. See Joel B. Green, "Interpretation, Reflection, Formation: Unfinished Business," in *Reading Luke: Interpretation, Reflection, Formation*. (eds. Green, et al.; Grand Rapids: Zondervan, 2005), 442 offers a credible response by rightly observing that when it comes to the place of
the relationship between theology and lived experience can still be neglected or overlooked, even contemporary narrative approaches do not necessarily guarantee a holistic Christology. I will conclude this chapter by describing what I will call the imaginative practices evident within the teaching of Jesus. The tendency to present a dis-integrated account of historical criticism in theological interpretation of Christian Scripture, ‘unfortunately, the choices too often presented to us have been either history or theology, with the result that historical criticism has tended to eschew theological interests, and theological interpretation has sometimes seemed to rub elbows with an historicism, or even anti-historicism, that is problematic to a Christian faith concerned with ‘God's mighty acts in history’. Three quests for the ‘historical Jesus’ have produced extensive literature along these lines but offer only minor resources for the Christological understanding necessary for the work of restorative justice and for this thesis. The following analyses span three decades of research into the historical Jesus from a Reformed perspective (Banks, 1981), Baptist perspective (Witherington, 1995) and Catholic perspective (Liderbach, 2009) each reaching very similar conclusions: See Robert J. Banks, "Setting the Quest for the Historical Jesus in a Broader Framework," in *Gospel Perspectives* (ed. France; Sheffield: JSOT, 1981), 62 found that ‘study of the historical Jesus has frequently been conducted within too narrow a horizon. Also, that this restriction of vision has resulted not only in a less comprehensive understanding of Jesus’ teaching and practice but necessarily in a certain distortion of it as well.’ Ben Witherington, *The Jesus Quest: The Third Search for the Jew of Nazareth* (Downers Grove: InterVarsity Press, 1995), 86 cites Eugene Boring as describing the ‘major disputed issue in the ‘third Quest’ is what kind of person Jesus was and what the essence of his message, ministry and intention was.’ Witherington offers a synopsis of the major players and their perspective on Jesus. The following perspectives are simply noted and will not be canvassed in this thesis: 1. Jesus the Hellenistic Cynic Sage (Burton L Mack), 2. Jesus the Jewish Cynic Peasant (John Dominic Crossan), 3. Jewish the ‘Spirit Person’ (Marcus Borg), 4. Jesus the Egalitarian Prophet of Wisdom (Elisabeth Schussler Fiorenza) 5. Jesus the Eschatological Prophet of the Present and Coming Kingdom (John P Meier), and 6. Jesus the Prophet of Imminent Restoration Eschatology (EP Sanders). Other leading participants Richard Horsley, JDG Dunn, and NT Wright are briefly engaged in the following chapters. Daniel Liderbach, *The Jesus of History as the Christ of Faith* (Mahwah: Paulist Press, 2009), 20 explain that his ‘book searches to discover how the new quest for the historical Jesus has argued that the Jesus of history identified himself as the Christ of faith. Certainly, the quest’s identification of the genuine sayings of Jesus is most relevant. The important question regarding any genuine saying of Jesus is whether it indicates that Jesus identified himself as the Christ, as the Promised One, as the Messiah. An alternative question is whether the hearers of Jesus’ sayings during his life had understood him to be the Christ, the Messiah.’ Joel B. Green and Michael Pasquarrello, *Narrative Reading, Narrative Preaching: Reuniting New Testament Interpretation and Proclamation* (Grand Rapids: Baker Academic, 2003), 37 argues that ‘however one resolves the historical questions raised by the first five books of the New Testament, it is nonetheless clear that narrative memory and interpretation of what Luke calls ‘the events that have been fulfilled among us’ (Luke 1:1) predominate.’

These imaginative practices will be incorporated into chapter 8. My methodology is similar to that of Robert J. Banks, "Paul - the Experience within the Theology," *Evangelical Review of Theology* 12 (1988): 128 who promotes a ‘definition of theology [that] needs to be broadened. As we have seen, Paul's theology had a decidedly practical orientation. It was not, like most theology these days, mainly a product of his own private interests or the interests of his theological peers … it arose from his experiences as an apostle and his attempts to make sense of these by whatever means God placed at his disposal. This certainly included the Scriptures, which for him rightly occupied a normative place. It also involved other, at times more direct, encounters with God, through prophecy.
Jesus’ life, death and resurrection simply accelerates the dis-integration of theology from the practice of Christian living. These dis-integrated accounts are not able to offer the biblical, theological and ethical resources required by restorative justice theorists and practitioners to fulfill their work in the church or the world.

Dietrich Bonhoeffer and restorative justice

The practical theologian Ray Anderson has noted the contested nature of Bonhoeffer’s legacy.\(^\text{381}\) Two of Anderson’s colleagues at Fuller Theological Seminary – the late ‘baptist’ theologian James McClendon and the ethicist Glen Stassen – are among those who have drawn on Bonhoeffer extensively for theology and ethics.\(^\text{382}\) Diverging interpretations of Bonhoeffer’s...
thought such as the disagreement between Hauerwas and South African theologian John de Gruchy, have important consequences for the restorative justice movement. De Gruchy understood the disagreement to be about ‘what kind of pacifist’ he was?\textsuperscript{383} In other words, how did Bonhoeffer interpret and practice fidelity to Jesus’ life and death in the context of unimaginable wrongdoing and injustice?\textsuperscript{384} The teaching of Jesus, particularly the Sermon on the Mount and its fulfillment in Jesus’ death, shaped Bonhoeffer’s entire thought and practice. For Bonhoeffer, the triumph of enemy-love is manifest in the cross of Jesus Christ ‘who went to the cross for his enemies and prayed on the cross for them.’\textsuperscript{385} From the vantage point of Jesus’ teaching and death, victims of wrongdoing are able to see that the wrongdoer ‘stands like himself beneath the cross of Christ’.

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\textsuperscript{383} John W. De Gruchy, “What Kind of Pacifist?,” \textit{Christian Century} 121 (2004): 26 has observed the deeper fault-line between himself and Hauerwas. ‘Unlike Hauerwas, who reads Dietrich Bonhoeffer through the eyes of Yoder and in the context of a North American Christendom imperium, I read Yoder under the influence of Bonhoeffer and in the context of the South African church struggle.’ De Gruchy establishes the proper order for reading their contributions and, therefore, provides the better reading of Bonhoeffer.

\textsuperscript{384} Oudshoorn, "The New Testament and Violence I," Jacques Ellul’s ‘third temperament’ (noted in the introduction) is more common among younger theologian-activists currently re-examining the questions of nonviolence. Oudshoorn does not identify with the basic commitments of either Niebuhr or Anabaptist pacifism, declaring: ‘I will be situating myself within an uncomfortable ideological location – rejecting the (often imperialistic and murderous) Niebuhrian position on violence as a ‘necessary evil,’ and standing outside of the (often superficial and self-serving) pacifism of Anabaptist-inspired Christians, there is every chance that both parties will be ill-equipped to hear what I am saying. This is why it is essential to examine the words and actions of Jesus before we embrace any ideology related to nonviolence. Rather than asking, ‘Is violence (whatever that is) right or wrong?’ it is better to ask ‘How did Jesus act and what might it mean to faithfully follow Jesus today?’ Pursuing this question, helps us to escape from ingrained theological or cultural perspectives that have prevented us from recognising what the Gospels actually say on this subject.’ Bonhoeffer would endorse the later approach.

\textsuperscript{385} Bonhoeffer, \textit{DBWE} 4:141.
But to understand and appreciate Bonhoeffer’s thinking, we must begin with his Christology and his views on enemy-love.

**Bonhoeffer’s Christology**

Bonhoeffer’s theology placed Christ at ‘the centre’ of everything. He detected a concrete ethic in Jesus’ life which prevented him ever being drawn into ‘abstract belief’ at the expense of a living encounter with Jesus Christ.\(^{386}\) The question for Bonhoeffer becomes ‘who is Jesus Christ for us today?’\(^{387}\) Jesus’ life and death address and challenge the contemporary hearer because Jesus is risen and present through the Spirit. He writes:

> In Jesus Christ the reality of God has entered into the reality of this world … from now on we cannot speak rightly of either God or the world without speaking of Jesus Christ. All concepts of reality that ignore Jesus Christ are abstractions. In which case, ‘the question is how the reality in Christ … works here and now or, in other words, how life is to be lived in it. What matters is participating in the reality of God and the world in Jesus Christ today, and doing so in such a way that I never experience the reality of God without the reality of the world, nor the reality of the world without the reality of God.\(^{388}\) [emphasis retained]

At the centre of Bonhoeffer’s theology was Jesus, the ‘Resurrected One’ against whom the human being ‘has no power’ and ‘today still cannot get around the figure of Jesus Christ … who bears all things and forgives all’

\(^{386}\) Bonhoeffer, *DBWE* 8:501 asks: ‘who is God? Not primarily a general belief … [but] encounter with Jesus Christ. Experience that there is a reversal of all human existence in the very fact that ‘Jesus is only there for others’ … faith is participation in this being of Jesus … not the infinite unattainable tasks, but the neighbour within reach in any given situation.’


\(^{388}\) Bonhoeffer, *DBWE* 6:54-55. James William McClendon, *Doctrine: Systematic Theology. Vol. 2* (Nashville Abingdon Press, 1994), 239 is more explicit that it is the risen Jesus, because ‘our question is not past but present: Is the Risen One who confronts us here and now, today, in the common life of the church – is this one true God, true man, one risen Jesus Christ? For it is this present Christ with whom we must come to terms; it is in him that we must seek our answers.’
things’ in the life of the disciples and for the wider Christian community. Bonhoeffer understood that Jesus’ enemy-love was substantially different to the teaching of Gandhi, or, more recently, Martin Luther King Jnr. There is greater emphasis on enemy-love than the practice of nonviolence. In Bonhoeffer’s thought this was because Jesus was the ‘man for others’.

‘Expressed in another way, this means that the form of the humiliated one is the form of Christ pro nobis (‘for us’).’ Christ’s existence for others is most explicit when the other is an adversary. The designation of Jesus as ‘the man for others’ is developed in relation to how Jesus lived (‘Jesus Christ, the God who became human’ Menschwerdung), why he died (‘Jesus Christ, the crucified Reconciler’) and through his resurrection (‘Jesus Christ, the risen and exalted Lord’). Bonhoeffer’s Christology was unquestionably orthodox because Christ is the form of God in the world. His Christology was also practical because the disciple and the church-community is the form of Christ in the world.


390 Bonhoeffer was interested in ‘experiments’ in India and even wrote to Gandhi, expressing his desire to visit for an extended period so as to immerse himself in Gandhi’s rhythm of daily life. Bonhoeffer’s desire for alternate forms of church-community in Germany were inspired by Gandhi’s model including Gandhi’s practices of ‘inwardness, community and nonviolence, closely linked to the Sermon on the Mount.’ For example, Bonhoeffer, DBWE 13:152 notes that ‘Christianity did in fact come from the East originally, but it has become so Westernised and so permeated by civilised thought that, as we can now see, it is almost lost to us.’

391 Bonhoeffer, Christ the Centre, 110.

392 Bonhoeffer, DBWE 6:6, 95, 401. Clifford Green – the editor of the English translation – notes that ‘this phrase recurs throughout the manuscripts like a litany … Bonhoeffer’s Christology, his doctrine of God’s becoming human in Jesus Christ … is the restoration of true humanity.’ In Bonhoeffer’s words ‘to be conformed to the risen one—that means to be a new human being before God … transfigured into the form of the risen one, they bear here only the sign of the cross and judgment. In bearing them willingly, they show themselves as those who have received the Holy Spirit and are united with Jesus Christ in incomparable love and community.’

393 His ecclesiology was first articulated in Dietrich Bonhoeffer, Dietrich Bonhoeffer Works, Volume 1: Sanctorum Communio. A Theological Study of the Sociology of the Church (ed. Green; trans. Krauss and Lukens; Minneapolis: Fortress Press, 1998):158, 178. This point is developed in chapter 9 where I demonstrate that the relationship between
Enemy-love in Bonhoeffer

Bonhoeffer never tired of returning to Jesus’ teaching in the Sermon on the Mount because he believed that it ‘is either valid as the word of God’s world-reconciling love everywhere and at all times, or it is not really relevant for us at all.’\(^{394}\) Not surprisingly, he interprets Jesus’ command to love the enemy as the hermeneutical key to the entire Sermon because it ‘sums up the whole of its message’.\(^{395}\) For Bonhoeffer, because ‘we are disciples of Christ, or we are not Christians at all’, the Christian’s unqualified love for an enemy was the test of authenticity. The distinctive practice of this love is ‘continuous suffering. In this action Christ is his disciples’ passio’.\(^{396}\) Suffering love is different to the ‘passive endurance of evil’ because of Jesus’ specific injunctions to bless, to do good and to pray. Bonhoeffer emphasises that ‘the enemy was no mere abstraction for the disciples. They knew him only too well. They came across him every day’. Consequently, ‘if my enemy stands there before my eyes, and I am overcome by the obsession to finally be able to take revenge, then Jesus Christ stands at once behind my enemy and entreats me: do not lift up your hand, but leave vengeance to me; I will take it’.\(^{397}\) Bonhoeffer did not permit enemy-love to become a general principle or abstract ideal because it brought enemies ‘nearer to reconciliation with God and to further the

Jesus, church-community and the world, is an existence for others. Jesus is ‘the man for others’ and ‘the church is the church only when it exists for others.’\(^{394}\) Bonhoeffer, \textit{DBWE} 6:243 and Bonhoeffer, \textit{DBWE} 8:499-504. Although he only ever produced an outline of the argument, Bonhoeffer wanted to prove how his Christology (Jesus the ‘being-for-others’) and discipleship (‘to be there for others’) mutually informed Jesus’ teaching to love one’s enemies.\(^{395}\) Bonhoeffer, \textit{DBWE} 4:131.\(^{396}\) Bonhoeffer, \textit{DBWE} 4:139, 145.\(^{397}\) Dietrich Bonhoeffer, "Christ's Love and Our Enemies," in \textit{A Testament to Freedom: The Essential Writings of Dietrich Bonhoeffer} (eds. Kelly and Nelson; San Francisco: HarperSanFrancisco, 1995), 287.
triumphs of love'. The reconciling goal of enemy-love is close at hand; it is where hostility is requited with love and where enemies are brothers and sisters. Bonhoeffer then offers a remarkable insight into Jesus’ embodiment of enemy-love through his death on the cross:

This love of God for the world does not withdraw from reality into noble souls detached from the world, but experiences and suffers the reality of the world at its worst. The world exhausts its rage on the body of Jesus Christ. But the martyred one forgives the world its sins. Thus reconciliation takes place. Ecce homo.

From the vantage point of reconciliation with God, Bonhoeffer insists that ‘the love for our enemies takes us along the way of the cross and into fellowship with the Crucified.’ In Letters and Papers from Prison, Bonhoeffer suggested that Jesus’ death enables his disciples to find some ‘distance’ from their own concerns and a readiness to accept the tension-filled ‘polyphony of life’. Instead of life existing as ‘a single dimension’ … faith in Jesus Christ who was for us frees us from self-interest, and creates

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398 Bonhoeffer, "Christ's Love and Our Enemies," 288 where becoming brothers and sisters necessitates forgiveness, because, he asks, ‘how do we overcome evil? By forgiving it without end. How is that done? By seeing our enemies as they really are as those for whom Christ died, whom Christ loves.’

399 Bonhoeffer, DBWE 6:83 this is primarily the work of Jesus’ death, where ‘the figure of the reconciler, of the God-man Jesus Christ, steps into the middle between God and the world, into the centre of all that happens. In this figure is disclosed the mystery of the world, just as the mystery of God is revealed in it. No abyss of evil can remain hidden from him through whom the world is reconciled to God. But the abyss of the love of God embraces even the most abysmal godlessness of the world. In an incomprehensible reversal of all righteous and pious thought, God declares himself as guilty toward the world and thereby extinguishes the guilt of the world. God treads the way of humble reconciliation and thereby sets the world free. God wills to be guilty of our guilt; God takes on the punishment and suffering that guilt has brought on us. God takes responsibility for godlessness, love for hate, the holy one for the sinner. Now there is no more godlessness, hate, or sin that God has not taken upon himself, suffered, and atoned. Now there is not longer any reality, any world, that is not reconciled with God and at peace. God has done this in the beloved son, Jesus Christ. Ecce homo!’

400 Bonhoeffer, DBWE 6:66 highlights: ‘God has reconciled the whole world with himself in Christ. The central message of the New Testament is that in Christ God has loved the world and reconciled it with himself. This message presupposes that the world needs reconciliation with God, but cannot achieve it by itself.’
in us the space for the interests of others. The disciple’s acceptance of the cross, coupled with participation in the Crucified Christ, ‘is how love makes disciples to see, so that they can see enemies under the cross of Jesus Christ’. Bonhoeffer learnt to see the world and its injustice from ‘below’ through the wrongdoing perpetrated on European Jews by the Nazi regime. He concluded that: ‘it remains an experience of incomparable value that we have for once learned to see the great events of world history from below, from the perspective of the outcasts, the suspects, the maltreated, the powerless, the oppressed and reviled, in short, from the perspective of suffering’. Bonhoeffer, writing from the midst of his own suffering in prison adds:

this being pulled along into the messianic sufferings of God in Jesus Christ happens in the New Testament in various ways: when the disciples are called to follow him, in table fellowship with sinners … through the action of the woman who was a sinner done without any confession taking place (Luke 7) … through the receiving of children.

Each example he offers is the suffering of enemy-love expressed in the form of existing for the other.

Did Bonhoeffer’s interpretation of Jesus’ command of enemy-love, even to the point of his own suffering and death (‘whenever Christ calls a human being, his call leads to death’), eventually collapse in

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401 Bonhoeffer, DBWE 8:480 because the Jesus who calls people to discipleship is the Crucified One, and ‘it is not a religious act that makes someone a Christian, but rather sharing God’s suffering in the worldly life. That is ‘metanoia’: not thinking first about one’s own needs, questions, sins, and fears, but allowing oneself to be pulled into walking the path that Jesus walks, into the messianic event, in which Isa. 53 is now being fulfilled.’

402 Bonhoeffer, DBWE 4:141. [emphasis added] any notion of ‘solidarity’ for Bonhoeffer must be found in Jesus’ death on the cross. See further exploration of this theme – in contrast to Yoder’s account of Jesus’ death – in chapter 5.

403 Bonhoeffer, DBWE 8:52 concludes that: ‘we come to see matters great and small, happiness and misfortune, strength and weakness with new eyes; that our sense for greatness, humanness, justice, and mercy has grown clearer, freer, more incorruptible.’

404 Bonhoeffer, DBWE 8:481.
duplicity and compromise through his ‘failure’ to follow this path? I would contend that suffering – through existing for the other – is the principal criterion against which Bonhoeffer’s fidelity should be measured.\textsuperscript{405} Bonhoeffer’s so-called ‘failure’ to embody faithfully the ethic of enemy-love because he was party to the conspiracy to assassinate Adolf Hitler, does not in the least bit discredit him as a suitable dialogue partner here in this work.\textsuperscript{406} Nearing the end of his short life, he had come to believe that the ‘ultimately responsible question’ was not of personal, moral justification – in effect, ‘how I extricate myself heroically from a situation’ – of accepting responsibility for others, but ‘[how] a coming generation is to go on living?’\textsuperscript{407} Bonhoeffer’s ‘failure’ was the failure of the wider Christian community that had ‘no effective communal moral structure’ in which he could faithfully embody the practices of enemy-love that he had written about and lived with others so passionately. In the final part of the thesis, I will return to this point as part of an examination of the indispensable and

\textsuperscript{405} There is a discernible shift in Bonhoeffer’s understanding of the personal implications of a Christ-like suffering, other-centered love. The earlier depiction is the more idealised, such as in Dietrich Bonhoeffer, Dietrich Bonhoeffer Werke 4: Nachfolge (eds. Kuske and Tödt; München: Kaiser, 1989):81 ‘der tod an Jesus Christus, das Absterben unseres alten Menschen an dem Rufe Jesu.’ The latter exhibits the worldly realism which later emerged in Dietrich Bonhoeffer, Dietrich Bonhoeffer Werke 6: Ethik (eds. Tödt, et al.; Gütersloh: Kaiser, 1998):405 ‘Jesus Christus, der gekreuzigte Versöhnner, – das bedeutet zunächst, daß die ganze Welt durch ihre Verwerfung Jesus Christi gottlos geworden ist und daß keine eigene Anstrengung diesen Fluch von ihr nimmt ... Das kreuz der Versöhnung ist die Befreiung zum Leben vor Gott mitten in der Gott-losen Welt.’ This shift is described by Metaxas, Bonhoeffer, 374 quoting Bonheoffer in a letter to Erwin Schütz where he anticipates that ‘we will have to move through a very deep valley, I believe much deeper than we can now sense, before we will be able to ascend the other side again.’

\textsuperscript{406} Bonhoeffer’s so-called ‘failure’ was his participation in the plot to overthrow Hitler in 1944 and subsequent execution on 9 April 1945. McClendon, Ethics 198, 209-210 is uncontroversial in describing Bonhoeffer’s death as tragic, but presses to understand ‘the kind of tragedy that it was.’ Three views are proposed: i) ‘too little too late’ where Bonhoeffer should have got involved in politics earlier, ii) ‘if only he’d stuck by his nonviolent convictions’ where Bonhoeffer should have stayed out of politics altogether and iii) he was a ‘tragic victim of tragic times.’ The view that there were no better options is the one with which McClendon identifies.

\textsuperscript{407} Bonhoeffer, DBWE 8:42.
intertwining roles of discipleship and community for the faithful practice of restorative justice.

Bonhoeffer in the just-peacemaking of Glen Stassen

Bonhoeffer’s thought has been significant in the just-peacemaking project associated with Glen Stassen. Stassen has sought to integrate the biblical, theological and ethical dimensions of Jesus’ teaching into the Christian account of restorative justice.\(^4\) Three aspects of Stassen’s work deserve close attention. The first is his claim that the theological heart of ‘the way of Jesus in the Sermon is the way of deliverance based on grace.’\(^5\) The second is his exegetical identification of a ‘triadic structure’ repeated fourteen times within the Matthean version of Jesus’ sermon:

My thesis is that each pericope in the central section, 5:21-7:12, has a carefully crafted triadic structure, consistent across the pericopes … and this unites them all as members of one family. The main section of the sermon, from 5:21 through 7:12, is composed of fourteen triads. The first member of each triad is traditional righteousness. The second member is the diagnosis of a vicious cycle and its consequence. The third member is a transforming initiative that points the way to deliverance from the vicious cycle.\(^6\)

The third is his emphasis on ‘transforming initiatives’ as the ethical implication or the creative proposal within each of Jesus’ instructions. They are also described as proposals or initiatives ‘investing in God’s reign and restorative justice.’\(^7\)

\(^4\) Stassen, Just Peacemaking. It especially notes the strategic importance of grassroots, peacemaking groups. [emphasis retained]
\(^7\) Glen Harold Stassen, Living the Sermon on the Mount : A Practical Hope for Grace and Deliverance (San Francisco: Jossey-Bass, 2006), 132-135. Also Glen H. Stassen, “Jesus' Way of Transforming Initiatives and Just Peacemaking Theory,” in Transforming the Powers (Minneapolis: Fortress, 2006), 130 claims the phrase ‘transforming initiative’ as his
For my purposes, the most pertinent ‘transforming initiative’ identified by Stassen within Jesus’ teaching is ‘practicing restorative justice’ where wrongdoers ‘acknowledge responsibility for conflict and injustice and seek repentance and forgiveness (Matt. 7:1-5). The Truth and Reconciliation Commission (1996-8) in South Africa lanced festering historical injustices in this way. Stassen rightly observes that ‘for too long, people have treated Jesus’ teachings of peacemaking practices as if they were general principles. This diverts us from actually doing Jesus’ words.’ Stassen’s ‘transforming initiatives’ owe a significant debt to Bonhoeffer and contribute to my own proposal for recognising the imaginative practices that exist within Jesus’ teaching. These practices of remembering, seeing and desiring are inseparable from listening to and following Jesus’ teaching on enemy-love. The triadic structure within Jesus’ teaching preserves a dynamic tension between the response of repentance, faith and discipleship. Jesus’ teaching also exhibits a mutual and reciprocal relationship between his own life and death: Jesus’ death on the cross own, while acknowledging the foundational work of Walter Wink. He remarks ‘we may specify the nature of the third way as transforming initiatives that change our own way of relating to the enemy and that hope to change the enemy’s way of relating to us. These transforming initiatives are nonviolent confrontations of hostile or oppressive ways of relating that recognise the dignity of the other and assert our own dignity and that offer the chance to transform the relationship into peacemaking and justice.’


413 Stassen, "Applying the Practices of Just Peacemaking," 3. See also Glen H. Stassen, "Note I Wrote to Myself on the Horsley-Wink Debate," email to author, 19 January 2010. Stassen concludes: ‘I disagree directly with this [Horsley’s] old ‘mere illustrations’ interpretation of clear imperatives in the Greek that make perfect sense in Jesus’ context. He believes turn the other cheek ‘counsels passive nonretaliation or nonresistance.’ I think he’s reacting against Hengel throughout because he interprets these teachings this way. I think it must be clear that I believe Jesus was consistently nonviolent, and advocated peacemaking practices toward all, including Rome, and that Jesus was politically active as Isaiah was and Martin Luther King, Jr. was, and as John Howard Yoder says.’
interprets his enemy-love, just as his teaching to love enemies interprets the meaning of his death.414


Questions about common sources for Matthew and Luke for Jesus’ sermon do not require additional commentary here.415 I am concerned with how Luke uses Jesus’ enemy-love within his larger narrative.

Several restorative actions of Jesus have already been accomplished prior to the teaching ‘on the Plain’ in Luke. They include restoring social outcasts to community (5:12-14); forgiving sinners and healing the paralysed (5:17-26); and, Levi’s response to Jesus (5:27-28).

Stassen gathers these actions together and argues that grace and mercy mean not only wiping out past sin, but restoring to community. Levi is not only forgiven but made a member of the disciples who follow Jesus, including a Zealot who hates tax collectors. Grace and mercy mean not only forgiveness, but deliverance for the poor, the blind, the paralyzed, the oppressed. The beatitudes and woes focus

414 Jesus’ death on the cross is the subject of the next chapter. Terrence W. Tilley, The Disciples’ Jesus: Christology as Reconciling Practice (Maryknoll: Orbis Books, 2008), 161 is explicit about the connections between Luke 6 and Jesus’ death; ‘that the beatitudes say what Jesus showed: how to live in and live out the reign of God, not only in death, but in living a life in God’s polity, in practices that mark God’s reign. And if living in God’s reign led to his execution, then his practices are inevitably connected with this ‘transposition’, for without living in and living out God’s reign, why would Jesus be executed?’

especially on deliverance from economic injustice - the jubilee/justice theme that Yoder has highlighted for us. \(^{416}\)

The grace and mercy of God’s apocalyptic kingdom, promised in Isaiah 61 and manifest in the life of Jesus and his restored community, requires new insight, new ways of remembering and new kinds of relationships. \(^{417}\) Luke’s Sermon on the Plain explicates the new ways that characterise the kingdom.

At the centre of kingdom relationships stands the merciful God who is surrounded by the ones who replicate God’s character and love their enemies.

**The structure of Luke 6:27-38**

Glen Stassen, indebted to Bovon, locates the centrality of God’s mercy as the crux of 6:27-38. \(^{418}\) He observes ‘the chiastic structure [that] helps us [to] see the centrality of love as initiatives, and the centrality of God's mercy as the basis for the whole teaching.’ \(^{419}\)

Luke 6:27-38 is the portion of Jesus’ teaching that appears most relevant to restorative justice. \(^{420}\) Luke situates Jesus’ teaching from

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\(^{417}\) Stassen, "The Politics of Jesus in the Sermon on the Plain," 156.

\(^{418}\) Bovon, *Luke 1:1-9:50*, 231 who outlines the formal structure as follows: introduction (v. 27a); love of enemies (vv. 27b-28); renunciation of resistance (vv. 29-30); the golden rule (v. 31); comparison with sinners (vv. 32-34); the peculiar characteristic of Christianity (v. 35); the call to compassion (v. 36); not judging (v. 37ab); giving (vv. 37c-38b) and measuring (v. 38c). I. Howard Marshall, *The Gospel of Luke: A Commentary on the Greek Text* (Grand Rapids: Eerdmans, 1992), 257 also considers this verse the ‘heart of the discourse’.


6:27-38 between two warnings of judgment: the ‘woes’ in 6:24-26 and the
two parables about a tree and its fruit (6:43-45) and a house and its
foundations (6:46-49). Biblical scholars have been puzzled by the apparent
randomness of the various sayings Luke has gathered together but this
context of rather ‘inconvenient’ warnings and judgment could be
significant. Social and ethical approaches have unfortunately tended to
endorse Jesus’ enemy-love while leaving to one side Jesus’ judgment.
Stassen however, demonstrates the connections between blessings, woes,
faithfulness and hypocrisy:

Seeing that they parallel the eight blessings and woes makes
their order and intent clear. The beatitudes celebrated delivering
grace; the woes judgment. Doing the deeds of Jesus is
participation in delivering grace; the hypocrisy of not doing
them while claiming goodness is participation in judgment.

His description of ‘participation in God’s delivering grace’ can – from the
Lucan context – equally be described as ‘participation in God’s restorative
judgment’. This proposal makes better sense of Luke’s linking God’s
forgiveness with human forgiveness (cf. Lk. 6:36 and 11:4). He is not


Articulated as the ‘problem’ of the woes by Thomas Walter Manson, The Sayings of Jesus
as Recorded in the Gospels According to St. Matthew and St. Luke: An Introduction and
that one of the Synoptic meanings of judgment is to ‘express God’s condemnation or
punishment: ‘Judge not and you will not be judged; condemn not, and you will not be
condemned’ (Luke 6:37 // Matt. 5:21-22; 23:33; etc.).’ Baird’s argument is Christological –
Jesus is the judge. He links Jesus’ teaching with Jesus’ life as God’s incarnate life. In the
section entitled ‘Jesus as Judge’, Baird shows that ‘the final step in Jesus’ self-awareness
contained in these mission sayings takes place when we see him assuming the very judging
prerogatives of God. At this point his incarnation perspective reaches its most offensive and
exalted point. For example, he warned men not to judge others (Luke 6:37), but then went
on to pronounce woe upon the scribes and Pharisees (Luke 11:37-52) ‘full or exhortation
and wickedness’ (11:39).’ In the previous chapter I argued that Weaver’s view of
forgiveness was deficient because it neglected these judgment texts.

saying that God’s forgiveness is dependent on a human capacity or willingness to forgive but affirming that trusting the delivering grace (or restorative judgment) of God’s reign is the sole guarantee against the vicious cycle of condemnation.\textsuperscript{423} While insufficient attention has been given to these subtle connections in Luke’s account of Jesus’ teaching, I will offer a thorough discussion of forgiveness in the next chapter on Luke’s account of Jesus’ death.

**Enemy-love (6:27, 35-6): the crux of Jesus’ teaching on the plain**

Jesus command άγαπάτε τούς ἐχθρούς (‘love your enemies’, 6:27) is rooted in the benevolent action of God (αὐτός χρηστός ἐστιν ἐπί τοὺς ἡχαρίστους, 6:35) and the very character of God (ὁ πατήρ ὑμῶν οἰκτίρμον ἐστίν, 6:36). There is an anticipation of conformity to the character of God in the coming kingdom because ἑσεσθε υἱοὶ υψίστου (‘you will be sons of the Most High’, 6:35). This benevolent, merciful love is contrasted with a reciprocal love (6:32) which not only lacks a reward (6:35) but is equivalent to the lives of ἁμαρτωλοί (‘sinners’, or ‘the sinful’ 6:33-34) unchanged by the irruption of God’s kingdom.\textsuperscript{424} God’s action is marked by χρηστός (kindness, benevolence and love).\textsuperscript{425} Jesus’ teaching here stands in opposition to adversarial responses to wrongdoing,

\textsuperscript{423} Stassen, “Grace as Participation in the Inbreaking of the Kingdom,” 541. He argues: ‘the Sermon on the Mount is not just human effort or high ideals or hard teachings. The way of Jesus in the Sermon is the way of deliverance based on grace.’ [emphasis retained]; Travis, *Christ and the Judgment of God*, 217-224 while limiting the scope of divine retribution, still argues for both salvation and condemnation in the present and future judgment of God. I have previously surveyed theological approaches to judgment in chapter 3, and the final reconciliation (judgment) is discussed in chapter 6.

\textsuperscript{424} The radical consequence of this contrast is that the pervasive view which holds that God is One who loves the righteous and hates the wicked is flawed and needs correcting.

\textsuperscript{425} “χρηστός.” *BDAG*:1090 denotes ‘being morally good and benevolent’ which is ‘in keeping with the Israelite and Hellenic ideal of morality as exhibition of usefulness within the socio-political structure.’
condemning rather than restoring justice. It deepens and extends the intention of God’s action through salvation history.\textsuperscript{426} God’s gracious behaviour to wrongdoers (\textit{lit. ἀμαρτωλοί}, 6:33-34) is discerned in earthly benefits like sunshine and rain (cf. Matt. 5:45) but is now explicit in the end-time coming of Jesus and the kingdom. God’s initiative of οἰκτίρμων (mercy or compassion, 6:36) and χρηστός (beneficence, 6:35) is announced first in Jesus’ teaching and is then embodied in his life and through his death, culminating in his resurrection. God’s children are called to resemble the same enemy-love characterised by mercy and kindness (6:35-6).\textsuperscript{427}

Luke 6 does not support the view that Jesus’ nonviolent resistance is the crux of this teaching. Scholars agree that the historical background of the revolutionary Zealots is indispensable yet disagree over its implications for an adequate understanding of Jesus’ teaching.\textsuperscript{428} The better approach is not to separate enemy-love and the renunciation of violence, nor to draw clear distinctions between life in the kingdom and the possibility of forgiveness, but to find the connections between these. Martin Hengel identifies the threads of Luke’s portrayal of Jesus ‘appealing to the Father’s love for all men and radically extending the Old Testament law of

\begin{itemize}
  \item \textsuperscript{426} Yoder, \textit{Nonviolence - a Brief History}, 89 observed that ‘the culmination of the newness which the kingdom brings is love not only for friend but for the enemy, because therein one sees the nature of the Father who “himself is kind to the ungrateful and the wicked” (Luke 6:35).’
  \item \textsuperscript{427} Yoder, \textit{The War of the Lamb}, 79 emphasises that ‘Jesus says that by loving their enemies his disciples will be like their heavenly Father. This is said of no other ethical issue.’
\end{itemize}
love, demanded love of enemies and renunciation of violence … the ‘law of life in the kingdom’ … it corresponds to his requirement of unlimited readiness to forgive’. Throughout his extensive writings, Yoder thought Jesus’ enemy-love must be normative for Christian ethics because it is the only command where the disciples are told they will be like the Father. His understanding of Jesus’ teaching was more than merely the ‘love of neighbor raised to the nth degree’ for ‘enemy love – the cross as a way of life and of death – is participation in redemption. It is ‘the key to the gospel’ in a far deeper way than Tolstoy had in mind when he used that phrase’. The question that naturally emerges from the centrality of enemy-love in Jesus’ teaching is, to borrow from one of Jesus' interlocutors, ‘who is my enemy?’

Is the enemy my neighbour? A critical question in Luke 6

The importance of the neighbour is evident throughout the Scriptures. The command to love one’s neighbour occurs in the Old Testament Law and is reaffirmed consistently until the teaching of Jesus. Australian pastor and theologian Simon Holt has shown that of the four main Hebrew words used for neighbour:

429 Hengel, Victory over Violence, 49.
430 Yoder, The War of the Lamb, 79 see also Nancey C. Murphy, "John Howard Yoder's Systematic Defense of Christian Pacifism," in The New Yoder (ed. Huebner; Eugene: Cascade Books, 2010), 45 offers this assessment: ‘I venture to sum up Yoder's program as follows: ‘The moral character of God is revealed in Jesus’ vulnerable enemy love and renunciation of dominion. Imitation of Jesus in this regard constitutes a social ethic.’ I shall take this to be the hard core of Yoder's theology.’
431 Yoder, The War of the Lamb, 177.
432 Here I am deeply indebted to the scholarship and neighbourliness of Simon Carey Holt, God Next Door: Spirituality and Mission in the Neighbourhood (Brunswick East: Acorn Press, 2007). A close friend and colleague, Holt’s biblical and practical insights into neighbourliness have enriched my own discipleship and appreciation of inner city ministries and theological development.
the fourth word that is of most interest *rea‘* occurs 188 times in the Old Testament; in 102 cases the Authorised Version translates it ‘neighbor’. It is derived from the verb *reah* meaning 'to keep company with', 'to associate with', or 'to serve', and can be used of various relationships such as 'friends' (2 Sam. 13:3; Micah 7:5), ‘lovers’ (Jer. 3: 1; Hos. 3: 1), and ‘companions' (Judges 11:38; Job 30:29). Most often, it is used of ‘neighbors’ (Pr. 3:29; 6:1; 18:17; 25:8; Ex. 11:12). Technically speaking, when translated neighbor, *rea‘* could be used very generally to designate any person who stands apart from one's self as 'the other'. Such a designation says nothing about the character or context of the relationship. When we consider its use in the Old Testament, this is hardly ever the case. According to Fichtner, it is most often a specific reference to someone of the immediate neighborhood with whom a person comes into contact through daily life, through living as a neighbour, through working together, or through casual encounter. In other words, ‘neighbor’ in the Old Testament is generally *place-specific*. In Hebrew culture, the neighbour relationship issues out of the shared settings of daily life.\(^433\)

The Scriptural injunction to neighbour-love has also been the subject of philosophical investigation. Soren Kierkegaard’s exposition on neighbour-love claimed that it was ‘our duty to love those we see’. Hence, ‘if the duty is to be fulfilled, love must be limitless’.\(^434\) The turn to the ‘other’ in twentieth century continental philosophy has produced works in Political Theology where Zizek, Santner and Reinhard consider the ‘problem’ of neighbour love that was first articulated in Leviticus 19:18.\(^435\) Zizek engages with the Jewish philosopher Emmanuel Lévinas who described the responsibility each person has for the other, particularly in the ‘face of the other’.\(^436\) The memorable line in Dostoyevsky’s novel, *The Brothers* 

\(^{433}\) Simon Carey Holt, "God Next Door: Towards a Spirituality of Neighborhood" (PhD thesis, Fuller Theological Seminary, School of Theology, 1999) 88-89 [emphasis added].


\(^{436}\) For Lévinas, responsibility for the other is an ontological given and ethical imperative. Lévinas follows Martin Buber in the identification of self, not as a substance but as relation, existing only as the ‘I’ addressing itself to a ‘Thou’. But Lévinas departs from Buber’s concept of inter-subjectivity because it presumes reciprocity and because it is too formal and ultimately exclusive. This is representative of an early appraisal of Buber, according to Robert Bernasconi, "Failure of Communication” as a Surplus: Dialogue and Lack of
*Karamazov*, that ‘we are all guilty of all and for all men before all, and I more than the others’, had a profound influence on his thought.⁴³⁷ For Lévinas, no true relationship is possible without a certain kind of care, provision or welfare (*Fürsorge*) for the other person.⁴³⁸ Face-to-face encounter is the way of transcending, without effectively suppressing, the distance between Buber’s ‘I and Thou’.⁴³⁹ Lévinas argues that, in contrast with angels, humans alone are capable of giving and of being-one-for-the-other.⁴⁴⁰ This involves an ethical responsibility for the other that, ‘over and beyond all the reciprocal relations [that] fail to get set up between me and the neighbour, I have always taken one step more toward him.’⁴⁴¹ The ‘proximity of the neighbour’ overcomes the separation of difference that also takes each beyond the limitations of selfhood, something that Lévinas describes as the ‘more’ or ‘better than’ grace of encounter.⁴⁴² His thought, steeped in the Hebrew Scriptures, offers an approach to the question of ‘who is my enemy?’ But does Lévinas ethics of ‘being-for-the-other’ extend to being-for-my-enemy? He correctly identifies taking responsibility through ‘being-one-for-other’, even to the point of being a ‘reconciliatory sacrifice’. Is not Bonhoeffer right, then, in insisting that the follower of *Dialogue between Buber and Lévinas,*” in *The Provocation of Lévinas: Rethinking the Other* (eds. Bernasconi and Wood; London: Routledge, 1988), 103.


⁴³⁸ This means that, unlike Buber, where the ‘Thou’ is primarily understood as a partner and friend, Lévinas argues that ‘the inter-subjective space is initially asymmetrical.’ See Emmanuel Lévinas, "Martin Buber and the Theory of Knowledge," in *The Lévinas Reader* (ed. Hand; Oxford: Blackwell, 1989), 60.


⁴⁴² Levinas, *Of God Who Comes to Mind*, 147. [emphasis added].
Jesus takes responsibility through being ‘for my enemy’? As already noted, Bonhoeffer insisted that Jesus’ enemy-love must be practiced within those spaces and relationships in which enmity existed for his followers.

New Testament scholar Richard Horsley notes that while ‘a number of studies of ‘Love your enemies’ have appeared in recent years’ it is characteristic that they ‘have given little attention to the definition of the ‘enemies’’. Whereas some assume Jesus’ teaching relates to the sphere of ‘foreign national or domestic political enemies’, Horsley focuses on the ‘interpersonal relations’ of a typical Galilean village where the ‘enemy is a local adversary’. He is particularly concerned with economic conflict in the village and shows that Luke appears to neglect the Roman ‘enemies’ who comprised Jesus’ audience. We need to ask whether Jesus' command to his disciples was restricted intentionally to the village context, or does it...

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444 Bonhoeffer, DBWE 4. Bonhoeffer, DBWE 6:63-64 notes ‘when God in Jesus Christ claims space in the world – even space in a stable because ‘there was no other place in the inn’ – God embraces the whole reality of the world in this narrow space and reveals its ultimate foundation. So also the church of Jesus Christ is the place [Ort] – that is, the space [Raum] – in the world where the reign of Jesus Christ over the whole world is to be demonstrated and proclaimed. This space of the church does not, therefore, exist just for itself, but its existence is already always something that reaches far beyond it … the space of the church is not there in order to fight with the world for a piece of its territory, but precisely to testify to the world that it is still the world, namely, the world that is loved and reconciled by God. It is not true that the church intends to or must spread its space out over the space of the world. It desires no more space than its needs to serve the world with its witness to Jesus Christ and to the world’s reconciliation to God through Jesus Christ.’ These themes are developed through concepts of ‘third places’ and ‘middle-level actors’.


446 Horsley, Jesus and the Spiral of Violence, 261-267 which is best interpreted as a probable over-reaction to Hengel’s preferred context of political relations in which Jesus was clearly something other than a revolutionist. However Hengel, Victory over Violence, 46 did not advocate quietism (as is often alleged), but argued ‘Jesus' message and ministry … in a radically new way he presented an alternative allowing men to escape from these three hopeless possibilities, to break out of the vicious circle of violence and counterviolence, opportunistic complicity, and apathetic resignation, an alternative that has not lost its significance for today.’

widen to include Roman and other political enemies? Walter Wink has challenged Horsley’s reading of enemy-love by relying on what he regards as the ‘substantially original’ Matthean account of Jesus’ teaching for his argument.\(^\text{448}\) In Matthew’s account the command to go the second mile (\(\text{ὑπαγε μετ' αὐτοῦ δύο}, 5:41\)) – which is usually interpreted in the context of a Roman soldier forcing someone to carry his bag – is the only difference that demands an application of Jesus’ teaching beyond the village. Wink cautions that ‘on Horsley's reading, two of the most distinctive aspects of Jesus' ministry – loving and forgiving enemies and fellowshipping with outcasts – bite the dust.'\(^\text{449}\) In what follows, I will argue that the local village (or neighbourhood) is, in fact, the primary context for obedience to Jesus’ enemy-love and that its force should not be diminished though a broader application.

Stassen rightly argues here that ‘the practices … that Jesus points to are essential to all relationships - individual, family, church, and international.'\(^\text{450}\) Jesus’ teaching on loving the enemy should create concentric ripples of concern from the more personal to the most political. Restorative practices that relate to Jesus’ enemy-love tend to occupy the middle sphere of Christian discipleship often neglected by the emphases on

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\(^\text{450}\) Stassen, "The Politics of Jesus in the Sermon on the Plain,” 163.
personal morality, on the one hand, and political activism, on the other.\textsuperscript{451}

Bonhoeffer’s context afforded him this exegetical insight:

Jesus was to be found right in the midst of his enemies. That is precisely where he wanted to be. We should be there too. It is that which distinguishes us from all other teachings and religions. In them, the pious want to be with one another. But Christ wants us to be in the midst of our enemies, as he was; it was in the midst of his enemies that he died the death of God's love and prayed: Father, forgive them for they know not what they do.\textsuperscript{452}

Unsurprisingly, Jesus’ teaching on enemy-love has been applied in a variety of situations, including ‘personal, national, and religious enemies.’\textsuperscript{453}

Because of their universality, acceptance and scope a number of difficulties emerge in interpreting Jesus’ words for particular circumstances.\textsuperscript{454} Yet, if the affirmation of enemy-love is stripped of a specific context in which it must be practiced, Jesus’ words effectively evaporate into what restorative justice critic Annalise Acorn has called ‘fictitious love’.\textsuperscript{455} Horsley specifically rejects these kinds of ‘misconceptions in interpreting Luke 6:27-36’ including assumptions that Jesus is teaching general principles of

\textsuperscript{451} The excluded middle is what social commentator Oldenburg, \textit{The Great Good Place}, 27-28, 66-85 has named ‘third places’ defines as ‘the ‘third place’ is a place where people can gather.’ Oldenburg promotes the connections between the third place and the ‘greater good’ of the political realm and the public domain. In chapter 9, I will develop Oldenburg’s analysis to include middle range leadership and actors as well as third places. These contexts were identified in chapter 2 as the emerging spheres for restorative justice such as schools, workplaces, neighbourhoods and villages.


\textsuperscript{454} Acorn, \textit{Compulsory Compassion}, 15 contends that without any context, ‘it is a command in search of elaboration, dialogue, discernment. It provides direction but leaves the itinerary to the travelers.’ On this point I am supported by Weaver, "Forgiveness, (Non) Violence," 3-5, 11, 17 who criticises the interpretations of Gustafson and Hauerwas arguing that, ‘close textual analysis suggest that ‘love your enemies’ and related sayings have a context and implications very different from what is assumed in most of the recent scholarly discussion’, largely because ‘the command of loving enemies remains general, abstract, and susceptible of a variety of interpretations so long as the meaning of ‘enemies’ remains imprecise.’

\textsuperscript{455} Horsley, "Ethics and Exegesis," 44.
nonviolence, nonresistance to evil or nonretaliation. He argues instead that ‘the content of nearly all of the sayings indicates a context of local interaction with personal enemies, not one of relations with foreign or political foes.’

Luke’s gospel includes the particular application of enemy-love (6:27b) as καλέω ποιεῖτε (‘doing good’) to those who hate you (6:27c), εὐλογεῖτε (‘blessing’) those who persecute you (6:28a) and προσεύχεσθε (‘praying’) for those who abuse you (6:28b). The communal address is easily overlooked, justifying McClendon’s complaint that Bonhoeffer’s failure was actually the failure of the community to enable him (and others) to follow Jesus’ teaching. The kingdom is a new community of disciples who practice Jesus’ enemy-love through goodness, blessing and prayer.

Who, then, are the ‘enemies’ that Jesus says his disciple are to love in these specific ways? Are τοὺς ἔχοντάς best defined as ‘a person with hostile

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456 While Horsley does not single out restorative justice, the assumptions he names are commonplace in the teaching of Jesus and are assumed within restorative justice.

457 John Howard Yoder, Body Politics: Five Practices of the Christian Community before the Watching World (Scottdale: Herald Press, 2001), 12-15 although his claim there is no connection between Jesus’ instruction to turn the other cheek and the lex talionis is unconvincing.

458 Each action Jesus prescribes is present tense, imperative and plural.

459 This line of interpretation is pursued by Robert J. Banks, Paul’s Idea of Community: The Early House Churches in Their Historical Setting (Surry Hills: Anzea, 1979), 206 who notes the communal application in Matthew’s language which ‘importantly, the plural nature of the beatitudes (‘blessed are’, makarioi, with ‘are’ understood) shows that Jesus is forming a people in his restoration of Israel and not simply individuals here and there.’ In the contemporary setting of a restorative justice conference between a victim and a wrongdoer and their supporters, Jesus’ words should not apply solely to the individual victim!

460 God-as-community who welcomes, embraces and forgives the enemy (Rom. 5:10). Glen H. Stassen, “Confessing Christ in a World of Violence,” Fuller Theological Seminary 2009, available from <http://www.fullerseminary.net/sot/faculty/stassen/cp_content/homepage/homepage.htm> (Date accessed: 11th September 2009). ‘Christ shows us that enemy-love is the heart of the gospel. While we were yet enemies, Christ died for us (Rom. 5:8, 10) … we are to show love to our enemies even as we believe God in Christ has shown love to us and the whole world. Enemy-love does not mean capitulating to hostile agendas or domination. It does mean refusing to demonise any human being created in God's image.’
feelings to me\textsuperscript{461} or are they, more specifically, Jesus’ ‘opponents’?\textsuperscript{462} Should they include ‘personal, national, and religious enemies,’ (on which Klassen claims there is ‘something of a consensus’) or should their identification be left ‘open and indeterminate’\textsuperscript{463} A better interpretation and one reflecting the everyday experience of Jesus’ hearers is that τοῦς ἔχθρους refers to those ‘within the local sphere of social interaction.’\textsuperscript{464} Another strength of this interpretation is a more immediate and obvious connection with the sayings in 6:29-30 concerning the τύπτοντι (‘slap’), ἰμάτιον (‘cloak’) and ὀπαίτει (‘demand’) that, according to Horsley ‘clearly presuppose local, social and economic relationships.’\textsuperscript{465} The primary identification of τοῦς ἔχθρους within more immediate networks is confirmed by Luke’s grammatical choices:\textsuperscript{466}

Three present active participles introduce three persons whose treatment of the audience member is negatively interpreted (τῷ τύπτοντι; τοῦ ἀροντός; τῷ ἰμάτιον). Again he emphasises the personal injury experienced by the auditors by repeating the second person singular three times (σε, σου, σα). Three different case endings for the second person make the importance of the personal injury incurred stand out. In each of the three instances Luke uses a verb with imperatival force to

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\textsuperscript{461} Robert C. Tannehill, \textit{Luke} (Nashville: Abingdon Press, 1996), 211-243 offers the most detailed investigation of all the linguistic options within their various cultural contexts.


\textsuperscript{463} Horsley, “Ethics and Exegesis,” 78-80.

\textsuperscript{464} Horsley, “Ethics and Exegesis,” 39-40.

\textsuperscript{465} Jonathan Marshall, \textit{Jesus, Patrons, and Benefactors: Roman Palestine and the Gospel of Luke} (Tübingen: Mohr-Siebeck, 2009), 17-19, 20 observes: ‘it is easy to understand the ‘enemies, haters, cursers, abusers’ in the context of local interaction, but difficult if not impossible to understand them as referring to national or political enemies.’

\textsuperscript{466} Marshall, \textit{The Gospel of Luke}, 18, 20 concludes that ‘this interpretation is confirmed simply by the kinds of relationships assumed in the following sayings: the insulting slap in the face, the local creditors’ seizure of the token pledge given by the debtor, borrowing and begging among local community members, or doing good and lending to those who may be local adversaries.’
That Jesus’ teaching on enemy-love extends to previously unknown enemies is not denied. My point is that this is a secondary matter for Luke. For enemies who are strangers, Jesus’ command suggests that recognising enemies as neighbours is the critical first step towards reconciliation. Loving the enemy as though he or she were a neighbour is demonstrated by Jesus’ example on the cross (Lk 23:34), the martyrdom of Stephen (Acts 7:60) and the (dying) prayer of both for their enemies.468 Whereas loving one’s neighbour is the sum of the Law (Lk 10:27), loving one’s ‘neighbouring enemy’ (in the practical mercy of the ‘slap, cloak and demand’) extends the Law’s prohibited actions. The Torah specifically forbids collecting pledges on loans to a neighbour (Deut 15:2 and 24:10) and striking a neighbour (Deut 27:24). Jesus’ command not only prohibits one from hating, bearing grudges or seeking revenge against a neighbour (Lev 19:17), but mandates loving enemy-neighbours and blessing them. The radical nature of Jesus’ command is the new orientation it forces upon the disciple and not just the size of the circle in which the disciple must show love.469 Because Jesus’ call is for a discipleship that is characterised by ὀἰκτήρμων (‘mercy’, 6:36), the contrast with relationships where love is reciprocated makes this new orientation explicit.

468 More detailed discussion of each incident can be found in chapters 5 and 6.
469 Green, The Gospel of Luke, 587 and J D G Dunn, Jesus Remembered (Grand Rapids: Eerdmans, 2003), 587 argues that ‘Jesus brings together the terms love and enemy not to expand the circle of those whom one is to love, but to move away from that kind of thinking to a totally new orientation of love.’
Enemy-love (6:27, 35-6) and the ‘golden rule’ (6:31)

Although Luke’s version of the ‘Golden Rule’ (6:31) strikes a discordant note within its immediate context, the following verses (6:32-34) render reciprocal loving, lending and benefaction as singularly unimpressive and illustrate the new orientation demanded by love for the enemy.\(^{470}\)

New Testament scholar Hans Dieter Betz observes that in order to subvert cycles of revenge and retaliation, ‘human social life consists of conventions of reciprocity, exchange of gifts and favors.’\(^{471}\) Jesus’ mandate of enemy-love means ‘taking the initiative’ in dealing beneficially with others, albeit within relationships of reciprocity (the ‘Golden Rule’). How can the apparent tension between the love command based on the \(\omegaικτ\,\,\lambdaρ\nu\) of the Father (6:27, 35-6) and the Golden Rule ‘logic of reciprocity ethics’ (6:31) be satisfactorily resolved? Two recent proposals indicate the possibilities.

Alan Kirk broadens the concept of reciprocity as it is found in the philosophy of Aristotle and Seneca to include an ‘unrestrained giving’ which ‘goes against the grain of the conventional wisdom that in selecting beneficiaries one exercises discretion’.\(^{472}\)


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\(^{471}\) Betz, \textit{The Sermon on the Mount}, 115, 270 at one point appears to make too much of the Golden rule by commenting that ‘in the midst of these emphases is situated the so-called Golden Rule (v 31) which, as a consequence must be regarded as pivotal and interpreted fully within its carefully constructed context.’ At another point he appears to support the position I am taking, that ‘Jesus sets himself and his message over against this way of life, contrasting the behavior that characterises everyday life in his world with behavior that grows out of service in the kingdom of God. The contrast is explicit in the structure of a central passage in the Sermon on the Plain (6:27-36).’

dissolving the apparent tension between it and enemy-love. While the technical arguments made by Kirk and Marshall are beyond the scope of this thesis, I am not persuaded by Kirk’s argument that grounds Luke in the Roman *patrocinium*. I have already noted Luke’s omission of the command to go the second mile (ὑπαγε μετ’ αὐτοῦ δύο, cf. Matt 5:41) – the Roman soldier forcing someone to carry his bag – which is the only aspect of Jesus’ teaching that specifically demands a Roman context. Nor am I persuaded that the *patrocinium* is consistent with Luke’s primary focus of Jesus’ enemy-love: local, neighbourly enmity and wrongdoing. I do not dispute the existence of a broader system of economic oppression under Roman rule forming the backdrop of the ‘stolen cloak’ (which are clearly counter to the cultural demands of the *patrocinium*). In a context of economic oppression, the wrongdoer’s theft of the cloak is unmasked by a victim who offers their tunic or shirt (ὁ χιτῶν). If the wrongdoer takes this inner garment as well (ὁ χιτῶν was worn next to the skin), the victim’s nakedness is revealed bringing shame on both. Cultural issues of shame and honour, therefore, provide the context for Jesus’ saying, not Roman benefaction. Finally I suggest that interpretation of the ‘golden rule’ is best discerned in its immediate context. Luke portrays Jesus’ demands as going well beyond

473 Marshall, *Jesus, Patrons, and Benefactors: Roman Palestine and the Gospel of Luke*, 230-247 in a detailed discussion demonstrates that ‘in scholarship on Luke 6:27-35 one encounters a similar lack of nuance with respect to ’reciprocity ethics’. Hence, achieving precision in use of the term ’reciprocity’ will be crucial to clearing up the passage’s difficulties.’

474 Johnson, *The Gospel of Luke*, 682. When applied to Luke 6 ‘in effect this alters the meaning of the exchange from confiscation to gift—in terms of our model, from negative to general reciprocity. Blessings, prayers, the offer of the other cheek, bestowal of the χιτῶν unrestrained giving, conversion of confiscated goods into a gift: these are stunningly liberal acts of general reciprocity, not abandonment of reciprocity in principle.’

475 Bovon, *Luke 1:1-9:50*, 201 has demonstrated that it ‘does not appear, therefore, that Luke intentionally cast this scene in explicit benefactor or patron imagery … it was demonstrated that *patrocinium* and benefaction were not prominent in the specific places mentioned (Galilee, Jerusalem, Tyre and Sidon), if they were present at all.’
Johnson observes that the ‘golden rule … ‘do as you would want done’ is not the ultimate norm here, but rather, ‘do as God would do’ … ultimately, of course, Luke grounds this morality in the covenantal attitudes and actions of God’. The tension is resolved because enemy-love (6:27, 35-6) interprets reciprocity (6:31) by substantially revising it. Enemy-love also revises the disciples’ understanding of judgment, the next issue addressed by Jesus.

**Enemy-love (6:27, 35-6) and ‘do not judge’ (6:37-38)**

What does the command μὴ κρίνετε (‘do not judge’, 6:37) mean in the context of Jesus’ enemy-love? Refraining from judging others – like displaying enemy-love – is grounded in the character of God who exercises οἰκτίρμον. Consequently, the meaning of κρίνω is what opposes or rejects God’s οἰκτίρμον. To withhold mercy or compassion is ‘to sentence’ or ‘to condemn.’ Joel Green interprets μὴ κρίνετε in this way under the rubric of ‘prejudging’ or ‘predetermining’.

The practices Jesus outlines follow immediately and grow out of the practices of God (vv 35d-36). Just as the merciful God does not predetermine who will or will not be the recipients of his kindness, so Jesus' followers must refuse to 'judge' – that is, to prejudge, to predetermine who might be the recipients of their graciousness.

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476 Otherwise, importing the background context of the *patrocinium* elevates reciprocity to the primary meaning of enemy-love! See further Green, *The Gospel of Luke*, 112 who asserts that ‘the repeated reproach, ‘what sort of credit is that to you’, is aimed at the minimalism of an ethics of ‘tit for tat’, as is also the repeated comparison with ‘the sinners’ who live by just such a norm rather than by the standard of excellence demanded of this people by its prophet.’

477 Marshall, *The Gospel of Luke*, 241 although it is more than just a ‘pronouncement’ as the preceding verses with the slap, cloak and loan demonstrate.

The emphasis on leaving room for the outworking of God’s justice (Rom 12:19) is often obscured by commentary on how God’s judgment and forgiveness and human forgiveness inter-relate. Enemy-love – specifically praying and acting in the best interest of the enemy – creates a desire for reconciliation with the enemy. The emphasis is on the willingness to forgive rather than to blame. It is the desire that forgoes the condemnation of those who wrong us, trusting in and anticipating the mercy of God (6:36).

*Jesus’ teaching in Luke 6:27-38 and restorative justice*

Jesus’ enemy-love command is ‘the most quoted saying of Jesus’ according to scholars across a range of theological disciplines and traditions. Klassen, John Piper, and the leading British New Testament scholar James Dunn share the view that ‘there is good evidence that the teaching was heard and recycled in subsequent paraenesis: Rom 12.14, Did. 1.3-5 and Justin 1 Apol. 15:9-10 clearly echo the form of the saying. The same teaching seems to have influenced the formulation of 1 Cor 4:12 and 1 Pet 3:9.’\(^\text{479}\) The practice of Jesus’ enemy-love in local networks of neighbourhood, school, workplace and church has thus become the emerging fields for restorative justice. These are the spheres of action where the theological interpretation of Jesus’ teaching needs greater attention. Renewing interest in Jesus’ teaching on discipleship practices requires continuing attention to principles resembling Stassen’s ‘transforming initiatives’.\(^\text{480}\)


\(^{480}\) Stassen, “The Politics of Jesus in the Sermon on the Plain,” 158. Jesus’ community with his disciples was all-encompassing, extending to all areas of life. These initiatives depict
Imaginative practice within Jesus’ teaching on enemy-love

Terry O’Connell, who continues to promote restorative justice in Australian contexts, argues for its practices to be made more explicit. The main theologically explicit contribution to these practices has been grounded in Jesus’ commitment to nonviolence. My interpretation of Jesus’ enemy-love indicates a related set of restorative justice practices that is more integrated with the implications of Jesus’ life and death. The exegesis of Luke 6 identified an imaginative practice within the teaching of Jesus. The three explicit practices flowing from that exegesis that I have detected include: remembering rightly; seeing enemies as neighbours; and, desiring reconciliation so that enemies are justly restored and not justly condemned. These imaginative practices of remembering, seeing and desiring are implicit in what Jesus taught. Furthermore, the enemy-love commanded by Jesus remains obscured without them.

Remembering rightly

There is a growing awareness of the role memory plays in contemporary theological discussion. How should I remember the wrongdoing done to me by my enemy? As remembering is also doing something, Volf notes the pragmatic alongside the cognitive function of memory: ‘as I am remembering – I want to argue – I am learning how to lead a kind of life that will create bridges towards another person.’

Volf argues in language reminiscent of Bonhoeffer, because love of the Jesus’ word-triads as creative actions to accomplish, not merely principles to affirm. The social location identified by liberation theologian Leonardo Boff resembles Stassen’s perspective. Boff writes that ‘Jesus words bite into the concrete world’ forcing us to make a decision.

481 Volf, "Miroslav Volf Part 2: Loving Enemies - Dangerous and Absurd,” (Date accessed.)
enemy has the goal of reconciling the wrongdoer with God. The danger and the implausible result of loving the enemy was to ‘return the wrongdoer back to the good.’ Because it anticipates the reconciliation of all people with God when all enmities will cease, the ‘right’ kind of remembering is not only about the past but the future.

The right remembering of wrongs which we have suffered is predicated on certain hopes of what will happen in the future. The title, *The End of Memory*, already contains within it a reference to the future, because the *end* means the purpose and goal of remembering as well as kind of a terminal point of memory. So hope is already present in remembering. How is it that we remember rightly? Well, we remember rightly when we remember in hope for the day in which all people will be reconciled before God.

The right kind of remembering is therefore required for the wrongs we commit and not just the wrongs we suffer. Consequently, we can only be truthful about the wrongs we have committed in light of Jesus’ death and resurrection.

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482 Volf, "Miroslav Volf Part 2: Loving Enemies - Dangerous and Absurd," (Date accessed: 24 October 2009). "If you think of the world as each of us maximising our own utility, each of us maximising our own pleasure, under certain circumstances maximising pleasure of those around us, then love of enemy is a dangerous and implausible idea. But if you think that the world is created by God who is radical love then the idea of love of the enemies is fundamental to the way in which reality is configured. It is not just a larger metaphysical picture of the world that is at stake, sometimes critics of Christianity misunderstand what love of enemies means. It is not love which is blind to the misdeeds of enemies. It is not love which is completely negligent to the safety of oneself or of a third party. It is love rather which can be described as benevolence and beneficence with a particular goal. The goal is not my own satisfaction of some peculiar need to love somebody who is awful to me, but rather the goal is to somehow return the wrongdoer back to the good. That is really what undergirds the whole idea of the love of the enemy. It is not a mushy sentiment but rather a very hard-nosed understanding that beneficence towards the other is that which leads the other person to realise what the good is and he or she has transgressed that good and return back to it."

Seeing enemies as neighbours

Loving an enemy has the effect of changing our perception of those who have wronged us. Love draws us into Buber’s ‘I-Thou’ relationship where enemies do not remain strangers. Neighbours recognise each other’s faces, names, families and stories. Their worlds intersect in significant and regular ways. I have shown that the enemies Jesus taught his disciples to love were neighbouring enemies. Shalom between neighbours is a prerequisite for the shalom of the neighbourhood, village and city. Wink describes this recognition as seeing ‘someone who is capable of future conversion.’ In the well-known story located on a road between neighbouring enemies, Jesus recognised the Samaritan people as not merely ‘good’ but as ‘neighbours’. This undoubtedly shocked his hearers (Lk. 10:25-37). In the olive garden on the night of his arrest, Jesus recognised his armed captor as a person who deserved mercy and healing. They did not deserve violent resistance (Lk 22: 49-51). If enemies are not recognised as neighbours, then enemy-love will remain a general principle that might be affirmed, but never a command to be obeyed. Convictions of refusing to exchange ‘evil for evil’, renouncing violence in all its forms, resisting the urge to take revenge, are consequences of seeing our enemies as neighbours.

484 Warren S. Kissinger, The Sermon on the Mount: A History of Interpretation and Bibliography (Lanham: Scarecrow Press, 1998), 158 ‘a central theme throughout Luke and Acts is the struggle to include foreigners who are rejected by the inner community.’
485 Wink, Jesus and Nonviolence, 69 notes ‘love of enemies is seeing one's oppressor through the prism of the Reign of God – not only as they now are but also as they can become: transformed by the power of God.’
486 Additionally, in his encounter with Saul on the road to Damascus, the risen Jesus recognised Saul’s real enemy. Saul was confronted with seeing the reality of the person he was wrongly persecuting (Acts 9:1-9). A detailed exegesis of this encounter will appear in chapter 6.
and the practical outworking of Jesus’ enemy-love. One of the greatest obstacles to seeing enemies in this new light is misplaced desire.

**Desiring reconciliation: justly restored not justly condemned**

The theological dimensions of forgiveness and reconciliation were noted in the previous chapter. The desire for reconciliation affirms God’s final reconciliation as ultimate restorative judgment. The desire for reconciliation does not forgo justice but desires the outworking of God’s justice as restored relationships. As I will demonstrate in chapter 6 in which I deal with Jesus’ resurrection, reconciliation is the best metaphor for the apostle Paul’s experience on the Damascus Road and his subsequent theological reflection on that encounter. In exploring the connection between reconciliation and justice in this context, I will argue that the concept of ‘making amends’ in restorative justice highlights the role of post-reconciliation justice. It is the desire to be justly restored with the enemy that resembles God’s mercy (Lk 6:36).

**Conclusion**

When wrongs are remembered rightly so that enemies are recognised as neighbours, the quest for genuine and lasting reconciliation is conceived. The desire for reconciliation diminishes the inclination to blame and enhances the capacity to forgive. In the verses immediately following Jesus’ command to love enemies, he warns against apportioning blame: ‘Judge not, and you will not be judged … forgive, and you will be forgiven’ (Lk. 6:37-38). Some might object to the implication that human forgiveness is so elevated here that it appears to make divine forgiveness dependent on
human ability to forgive (6:38).\footnote{There is general consensus that the discipleship practice of forgiveness is major theme in Luke-Acts. See for example Tilley, \textit{The Disciples' Jesus}, 163. Each of the injunctions that follows leads to reconciliation and not vengeance. The parables and the sayings – two of the main remembered patterns of Jesus' teaching – show that the practices of the reign of God are also the practices of reconciliation. Of course, Jesus' example is the primary teaching about how reconciliation works and its inevitable cost.} I have shown, however, that Luke establishes the grounds for the initiatives of mercy and forgiveness in the character of God (Lk. 6:35). The enduring legacy of Bonhoeffer's theology is the integration of Jesus' teaching and death and their role in binding together enemy-love and forgiveness. God's mercy is revealed in the life, death and resurrection of Jesus Christ. A truncated Christology necessarily results in an impoverished commitment to enemy-love that has the potential to neglect the role of forgiveness. A fuller account of forgiveness in Luke-Acts must include Jesus' death and its decisive role in forgiveness. This is the subject of the next chapter.
Chapter 5  Jesus’ death and restorative justice

In the previous chapter I demonstrated that the life of Jesus and his specific teaching on loving enemies (Luke 6) calls victims of wrongdoing to subvert injustice through the practice of non-resistance and to nurture the capacity to forgive and to desire reconciliation rather than revenge. Jesus’ enemy-love challenges contemporary preoccupation with the needs of victims which are frequently defined therapeutically or even economically. The contrast between these therapeutic approaches and Jesus’ teaching is striking. Jesus simply assumes that his hearers will be victims of wrongdoing and that the kingdom of God calls them to embrace new and different responsibilities. Victims are not merely to endure as ‘survivors’ but become restoring ‘healers’ of others – even wrongdoers! The three symbolic practices of absorbing a slap (on the face), offering the inner garment as well as the cloak, and lending without expectation of return, dramatically confront injustice and challenge offenders to take responsibility for their actions.

John Howard Yoder often noted that Jesus’ teaching on enemy-love was the only ethical issue where Jesus’ disciples were told they will be like their heavenly Father, thereby making this injunction the clearest articulation of his radical message. As articulated by Zehr, Marshall and Myers and Enns, such love is certainly not less than a commitment to nonviolence. Without this commitment, the adversarial cycles of revenge, 488 Definitions of violence vary considerably and, therefore what qualifies as nonviolence. Here I am adopting the broad understanding of violence offered in Yoder, The War of the Lamb, 37 to cover ‘all forms of less-than-loving behaviour’. Yoder’s definition fits well within the teaching of Jesus in Luke 6. It also allows space for loving behaviour that includes the punitive. For Yoder’s own exploration of the idea of good, loving and even ‘restorative’ punishment’, see Yoder, "You Have It Coming."
retaliation and retribution remain. But does Jesus’ life, death and resurrection require more than nonviolence in the face of wrongdoing and enmity? This is a pivotal question. The depth of enemy-love is demonstrated in the crucifixion where Jesus not only rejects violence as an option, but identifies with wrongdoers. In Luke, Jesus dies with wrongdoers. His death is also for wrongdoers. In this chapter I will show how Jesus’ death by and for his enemies in Luke 23 contributes to a theory and practice of restorative justice. In so doing, I will part company with Yoder at several significant points. He asserts that the politics of Jesus’ life and teaching necessitated crucifixion by his enemies. Jesus’ death constituted God’s will as well. But Yoder fails to demonstrate how a commitment to nonviolence alone makes sense of the New Testament’s perspective that Jesus’ died for his enemies. I want to interpret the Scriptural affirmation that ‘Jesus died for us’ in this instance must include both victims and wrongdoers.

489 In holding together the tension between the human/political and divine reasons for Jesus’ death, Yoder appears to follow the insight of Barth, who saw the ‘problem’ of Gethsemane as the power of darkness/evil to destroy everything, even God’s work of redemption and reconciliation leaving ‘nothingness’ to triumph: sin, evil and the evil one. Barth’s interpretation of Jesus’ death includes both the substitutionary dimensions of Jesus’ death (divine will), and also encompasses Jesus’ victory over evil through his voluntary submission to the forces of darkness (human/political powers). Another student of Barth – TF Torrance – is more adept than Yoder in articulating the theological reason for Jesus’ death and is cited by Alister E. McGrath, Thomas F. Torrance: An Intellectual Biography (Edinburgh: T&T Clark, 1999), 54-55 ‘but if you can tell me why Jesus was crucified, why he endured such unbelievable pain and anguish, then you will be able to say something of the real meaning of the atonement, and about why the crucifixion of Jesus was and is indeed a revelation of the love of God – Christ was crucified like that for our sakes, to save us from sin and judgment. The meaning of the atoning death of Christ is expressed in that word for – Jesus died for you and for me, and for all people. It is only in the light of that for that the death of Jesus is a picture of the love of God. And what a wonderful picture it is of the infinite love of God who so loved us that “he did not spare his only Son but freely delivered him up for us all, that we might be saved.”’ [emphasis retained] see further Thomas F. Torrance, Atonement: The Person and Work of Christ (ed. Walker; Downers Grove: IVP Academic, 2009).

490 John Howard Yoder, Preface to Theology: Christology and Theological Method (Grand Rapids: Brazos Press, 2002), 308 insists on the presupposition that ‘the belief that nonresistance is part of the essential nature of agape of God’s way of dealing with evil’ which highlights God’s basic conundrum in reconciling humanity to himself through Jesus death: ‘How, in short, to reveal love to us without forcing it upon us, which forcing would contradict love?’ Yoder’s dilemma – in stark contrast with some who seek to inherit his
Luke’s narrative gives priority to wrongdoers and their interactions with Jesus. At the cross, he identifies and names the following: the two κακοʊργος (‘criminals’), those who cast lots for his garments (presumably soldiers), ὁ λαὸς θεωρῶν (the people watching), οἱ ἀρχοντες (‘the rulers’) the ones who scoffed, οἱ στρατιώται (‘the soldiers’) the ones who join in the mocking, the inscription also intended as ridicule (attributed to Pilate), ὁ ἐκατοντάρχης (the centurion) and, finally, οἱ γνωστοί (literally the ‘known ones’) and γυναῖκες οἱ συνακολουθοῦσαι αὐτῶ (‘the women following him’) although standing at a distance. For Luke, the meaning of Jesus’ death is embedded in the context of who these people are and what they say. His primary concern with wrongdoers is also illustrated in the meditations on Jesus’ seven (last) words from the cross.

The familiar Good Friday reflections on Jesus’ words are drawn from all four Gospel accounts. The first, second and seventh words are unique to Luke’s account (23:34, 43 and 46). The first and last are prayers (both are addressed to God as ‘Father’) while the first and second concern wrongdoers (a word of forgiveness and a word of promise). Any interpretation of Jesus’ death that fails to reckon with its meaning for legacy – is that he would not permit any interpretation of Christ’s death that ‘distorted the biblical imagery’. Yoder consistently assessed any interpretation of Jesus’ death as ‘consonant with the Bible’ or not.

491 ἐμπαιζο much stronger than most English rendering ‘ridiculed’ – used of the Pharisees as ‘lovers of money’ 16:14.

492 Note the use of the present, active, participle.

wrongdoers neglects Luke’s own clear emphasis. Yet full justice is not
done to his narrative without attending to the place of victims, too.

The central character for Luke is Jesus. He is the innocent
and willing victim. Those remaining at the place of crucifixion until his
death are different from the other characters present. At the very least, the
women and the ‘known ones’ do not function primarily as wrongdoers.
They must be taken into account. Throughout Luke’s gospel, salvation
includes the liberation, healing and restoration promised to prisoners
(wrongdoers) and the poor, blind and oppressed (victims). For Luke, Jesus
is primarily fulfilling the promises God made through the prophet Isaiah
(e.g. Is. 61:1-4). The culmination of this saving work of God-in-Christ is the
death of Jesus on the cross.

Important is both the style in which Luke presents his
distinctive account of Jesus’ death, and two prominent features of Luke’s
narrative. His relational emphasis is evident in conversations between Jesus
and the mourning women on the way to, and then between Jesus and the
two wrongdoers, on the cross. The second is the theological dimensions

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494 This is relevant – but not yet decisive – for the continuing scholarly debate over Lucan
atonement theology. See further, David G. Peterson, "The Atoning Work of Jesus,” in The
76 standing in the tradition of his Australian colleague Leon Morris in finding ‘the
crucifixion scene suggests the fulfillment of Isaiah 53 as a whole, with the penitent thief
acknowledging the injustice of the sentence against Jesus and asking to be remembered
when he comes into his Kingdom (23:32-43). The scriptural necessity of Messiah’s death
and resurrection is then reaffirmed in Luke 24:26, 44-46, and made the basis for the
challenge to preach ‘repentance for the forgiveness of sins’ in Jesus' name ‘to all nations,
beginning from Jerusalem’ (24:47). Salvation is clearly linked to the shedding of Christ's
blood and his subsequent resurrection at the end of Luke's first volume.’ This contrasts with
Joel B. Green and M.D. Baker, Recovering the Scandal of the Cross (Downers Grove: IVP,
2000), 70 who cite evidence that, ‘though his narrative spans the period from Jesus’ birth to
Paul’s imprisonment, Luke devotes only three partial verses, some nineteen of his almost 38
000 words, to the atoning significance of Jesus' death.’

495 Green, The Gospel of Luke, 828 where ‘‘beating their breasts’ suggests sorrow or
mourning, with the result that Luke has framed the scene of execution with acts of grief
(Jerusalem's daughters - v 27; the gathered crowds - v 48). Linguistic parallels invite further
including the divine will, forgiveness and deliverance apparent in Jesus’ prayers to the Father at Gethsemane and from the cross to God. Recognising the place of victims does not, however, deny the prominence given to wrongdoers in Luke’s account or the New Testament generally. Before examining the portrayal in Luke-Acts of what Jesus’ death ‘for’ us might mean, we need to look at Yoder’s writing on Jesus’ death which has not received as much critical attention as his work on Jesus’ life.

John Howard Yoder and restorative justice

Yoder’s principal contribution to New Testament scholarship was to focus closely on the biblical witness to the earthly, political life and teaching of Jesus for ethical reflection and action. In the previous chapter I asserted that the relational sphere for restorative justice falls midway between those of personal ethics (the traditional domain of Christian piety) and the social ethics (the major burden of Yoder’s writing). While neglecting these

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496 2 Cor. 5:19 ‘in Christ God was reconciling the world to himself, not counting their trespasses against them.’ Darren L. Bock, Luke 9:51 – 24.53 (Grand Rapids: Baker, 1996), 1852, 1860 notes that ‘despite Luke's simplicity, he has a more complex portrait of the witnesses. He presents a fuller range of responses to the cross … Luke portrays Jesus' death as a public event that impressed a variety of people in a variety of ways.’

497 Yoder, To Hear the Word, 186, 189 aligns his approach with both the ‘biblical theology movement … [in which] texts have a right to be heard on their own terms … because they do address their readers in a way that demands a response of a specifiable kind to a message we do not hear elsewhere’ as well as a ‘biblical realism … [that is] post-critical, not pre-critical … [which] arose out of self-critical awareness of the limits of the prevalent literary and historical methodologies. It is especially concerned to keep its own interpretative filters from screening out part of what the text really says.’

498 Yoder, Nonviolence - a Brief History, 86 identifies and quickly rejects the first domain as personalistic: ‘Jesus was intentionally personalistic. He reduced all relationships to matters of face-to-face openness and love. Ethical questions of a structural character do not come into view from that perspective.’ The second domain is addressed at some point in virtually all of Yoder’s books but is the particular focus of The War of the Lamb; Christian Attitudes to War, Peace, and Revolution; When War Is Unjust: Being Honest in Just-War Thinking (Maryknoll: Orbis Books, 1996), Nevertheless: The Varieties and Shortcomings of Religious Pacifism (Scottdale: Herald Press, 1992); The Original Revolution: Essays on Christian Pacifism (Scottdale: Herald Press, 1971) and The Pacifism of Karl Barth
middle spheres consisting of school, workplace, neighbourhood and church, Yoder’s central claim that Jesus’ enemy-love be normative for Christian ethics is essentially correct.\textsuperscript{499} Another implication of Yoder’s focus is the interpretative lens the life of Jesus provides for understanding his death.\textsuperscript{500} The love Jesus demonstrated for the enemy by his death is not merely a heroic example.\textsuperscript{501} Yoder rightly rejected any interpretation of Jesus’ death that leaps, ‘like the creed, from the birth of Jesus to the cross.’\textsuperscript{502}

The simple statement that ‘Jesus died for us’ has been understood, following Anselm, as satisfaction for wrongdoing.\textsuperscript{503} But Yoder raises a number of exegetical, theological and practical objections. He

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(Washington: Church Peace Mission, 1964). The role of middle spheres has already been mentioned and will be central to the argument presented in chapter 9.
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\textsuperscript{499} Murphy, "John Howard Yoder's Systematic Defense of Christian Pacifism," 45 agrees with this assessment: ‘I venture to sum up Yoder's program as follows: ‘The moral character of God is revealed in Jesus' vulnerable enemy love and renunciation of dominion. Imitation of Jesus in this regard constitutes a social ethic.’ ’ I shall take this to be the hard core of Yoder's theology.’ Murphy’s summation follows Yoder’s clear emphasis in Yoder, \textit{The War of the Lamb}, 79 where ‘Jesus says that by loving their enemies his disciples will be like their heavenly father. This is said of no other ethical issue.’ See also Yoder, \textit{The Original Revolution}, 47 and Yoder, \textit{The Politics of Jesus}, 117.

\textsuperscript{500} Richard A. Horsley, "The Death of Jesus," in \textit{Studying the Historical Jesus} (eds. Chilton and Evans; Leiden: Brill, 1994), 395 notes that ‘interpretations of Jesus in general (usually books) have tended to give little attention to (Gospel portrayals of) events in Jerusalem; and treatments of particular (Gospel portrayals of) incidents connected with the death of Jesus have paid little attention to Jesus' overall context, teaching, and activity.’

\textsuperscript{501} Yoder, \textit{The War of the Lamb}, 177 explains that ‘enemy love – the cross as a way of life and of death – is participation in redemption. It is the key to the gospel’ in a far deeper way than Tolstoy had in mind when he used that phrase.’

\textsuperscript{502} Yoder, \textit{Nonviolence - a Brief History}, 91 adding ‘his teachings and his social and political involvement will be of little interest and not binding for us. See also Yoder, \textit{Preface to Theology}, 304 where Yoder critiques an interest in Jesus’ life that is solely ‘theological’ so that ‘the only obedience that is required from him is that he committed no sin, but ‘blamelessness’ is certainly a very thin kind of description of the way in which the life of Jesus can be called obedience.’ A contemporary example of this reduction of Jesus’ life to faithfulness or obedience is the biblical theology of atonement in Graham Cole, \textit{God the Peacemaker: How Atonement Brings Shalom} (Downers Grove: IVP, 2009), 103-119 which includes the biblical witness of Hebrews, Revelation, and Paul but entirely neglects the witness of the four gospels!

\textsuperscript{503} Moule, "The Scope of the Death of Christ," 10-11 while disagreeing with certain dimensions of ‘satisfaction’ explanations, examines the use of the Greek prepositions ‘\textit{huper} with person and \textit{peri} with sins’ and concludes that ‘with this list before us, we ask what, if anything, marks these Christian uses of the ‘on behalf of’ formulae as distinctive, one feature, at least, is impressively persistent. This is the universality - or, at least, potential universality - assumed for the effects of the death of Christ.'
considers those who employ the language of ‘Christ paying the price for our guilt’ (for example Barth and Brunner) as abandoning ‘theological responsibility’. 504 This is a serious charge. Yoder criticises the exclusive use of the ‘judicial’ symbolism of the courtroom in which everyone, by definition, is a wrongdoer and God the judge. 505 Throughout his writings and in addressing this problem, Yoder indirectly treats the relationship between the life and death of Jesus by employing several themes, namely reconciliation; 506 subordination (innocent suffering); 507 discipleship, and, an eschatology centered on Christ’s lordship (disarming the powers) 508 and the

504 Yoder, Preface to Theology, 301-305 although he does concede that they employ such language ‘in the full awareness of its limits’. Given his debt to Barth, Eduard Schweizer and other Reformed thinkers and his ecumenical efforts with Evangelicals, it is surprising to find that Yoder did not engage with more nuanced interpretations of Jesus’ death as substitutionary atonement. Yoder considers the ‘logic of solidarity,’ or ‘federal headship,’ as ‘the resources to use more extensively’ in developing this line of interpretation. Conversely, the charge of abandoning ‘theological responsibility’ could be leveled at those who reduce to ‘Anselmic’ the wider themes of representation, headship, solidarity and substitution in Jesus’ death.

505 Yoder, Preface to Theology, 304 notes the following problems: ‘all the other doctrines, the older doctrines, are much less tied to a particular model of thought - although each has its own particular model - and are less narrow and less culturally limited.’ More significant is Yoder’s criticism of an exclusively juridical view is that ‘it gives us a vision of God as a judge rather than as a reconciling and loving Father. It does not fit with the entire biblical stance’ [emphasis added]. On this Yoder finds agreement in surprising quarters. Defending substitutionary atonement from its recent (mostly ‘nonviolent’) critics Cole, God the Peacemaker, 35 argues that ‘how then we construe God’s character is of utmost importance.’

506 Yoder, Preface to Theology, 310 concludes ‘we can now state the problem atonement must solve. That is, we can now define the state of lostness. Humanity, created for free communion with God and obedience in communion has turned freedom, this gift of God’s love, inside out so that God’s love lets us go as we choose. The question now is how God can bring humanity back into communion and obedience, that is, how can God save (as an expression of agape) and at the same time leave humanity free (also an expression of agape), which must include respecting the hold of human sinfulness.’

507 Yoder, The War of the Lamb, 41 finds that ‘Jesus chose the cross as an alternative social strategy of strength not weakness. As Paul would write a generation later, it was God’s wisdom and power, what God ultimately does about violence. What I referred to above as “doing without dominion” … the gospel is not so much about delegitimising violence so much as about overcoming it … innocent suffering. … [is the] virtue of the special restorative resources of forgiveness and community.’ Forgiveness and community are explored more fully in chapters 8 and 9.

508 Yoder, The War of the Lamb, 81 observes that ‘Jesus Christ disobeys the powers, disarms them, and saves us from their enslavement by dying at their hands. He thereby tames them and makes them useable in the service of human dignity.’
war of the Lamb). By examining just one of these themes – *discipleship* being the most relevant – we can observe the relative strengths and weaknesses of Yoder’s interpretation of Jesus’ death.510

**Yoder’s understanding of the cross**

There is little doubt that the ‘cross’ is central to Yoder’s thinking and writing.511 Yoder’s collection of lectures *Preface to Theology* contain his most extensive evaluation of the atonement as one of the threefold offices of Christ – the ‘priest’.512 In this he offers even-handed descriptions and short critiques of dominant approaches to atonement in contemporary Christian theology. Consistent with his treatment of Jesus’ death elsewhere, he appears more confident of what should be rejected than what ought to be

509 John Howard Yoder, "The Politics of Jesus Revisited," Mennonite Studies Center 1997, available from <http://theology.nd.edu/people/research/yoder-john/#writings> (Date accessed: 7 July 2008). In revisiting these major themes of his work in the 25 years since the original publication, Yoder rejects the pigeon-holing of his writing through association with these themes by friends and critics alike, citing ‘the response of Richard Mouw, a well-intentioned Calvinist friend … even though most of the sources I cited were from mainstream Lutheran and Reformed New Testament scholars, Mouw put me in the pigeonhole he had already labeled ‘Anabaptist,’ which the Reformed creeds until recently instructed him to ‘despise’, rather than attending to my reading of the texts. Mouw would believe in principle in respecting an appeal to Scripture, though he did not attend to that in his response to me.’

510 Murphy, "John Howard Yoder's Systematic Defense of Christian Pacifism," 55 rightly observes the ‘anomaly’ in Yoder’s theology, in that ‘Yoder claims that he does not intend to reject the standard account of the work of Christ, but only to place it in a social and cosmic setting. Yet readers are likely to object that he needs to give some positive account of New Testament passages that use the language of temple sacrifice to interpret the atoning work of Christ.’ Contrary to Murphy, however, I do not think Girard is the solution to Yoder’s anomaly. Yoder himself consistently critiqued and rejected Girard’s overarching thesis.

511 Yoder, *The Politics of Jesus*, 95, 129 is emphatic that ‘only at one point, only on one subject - but then consistently, universally - is Jesus our example: in his cross’ and ‘the cross of Calvary … was the political legally-to-be-expected result of a moral clash with the powers ruling society.’

512 Yoder, *Preface to Theology*, 284 immediately notes that ‘a brief detour is needed on vocabulary. The root of the word ‘atonement’ seems to have been authentically the still visible English derivation from the composition, ‘at-one-ment’, meaning literally (a) ‘to bring back into oneness’ … then the linguistic equivalent would be ‘reunion’ or ‘reunification’ and the semantic equivalent would be ‘reconciliation’ … the ‘better’ term ‘reconciliation’ is just now also under a cloud in some circles, because in the judgment of some theologians of liberation it has been used to cloak the *avoidance of confrontation and social change.*’ [emphasis retained]
embraced in atonement theology. In constructing a positive alternative, ‘the first thing the doctrine of the atonement must do is answer the question, ‘why did Jesus have to die?’ The second thing it must do is to do justice to all the biblical language. To achieve these goals requires the systematisation of the various New Testament ideas, images and metaphors for Jesus’ death. All such theories and interpretations ultimately fail, however, because they are abstractions from both the gospel narratives and human experience. As McClendon helpfully reminds us, ‘the metaphors are nothing without the narratives in which they came to life’, otherwise the resulting theories and interpretations of the atonement become mere fodder for scholarly debates. Yoder’s own assessment of the scholarly debate is bleak, concluding that ‘argument about the atonement is at present at a standstill.’

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513 This is Yoder’s ‘anomaly’ according to Murphy, "John Howard Yoder's Systematic Defense of Christian Pacifism,” 58 in which ‘the anomaly here is the sacrificial language used in the New Testament to interpret the death of Jesus. This language has led to the development of theories of the work of Christ that are at least different from Yoder's interpretation, and in some cases actually opposed to it.’

514 Yoder, Preface to Theology, 288.

515 McClendon, Doctrine, 226 asks ‘before we resign ourselves to a hopeless intrabiblical war of metaphors, we must ask if development into contending theories is the proper function of these texts.’ Yoder, Preface to Theology, 303 makes a stronger critique: ‘the Christian's 'cross’ neither placates an offended holiness nor is the Christian’s suffering a transaction with the Father. Unless the work of Christ has an ethical sense this whole strand of New Testament thought has no place to fit in. This explains why in preaching about the Christian life many proponents of the Anselmic view abandon it in practice if not in theory.’ [emphasis added]

516 Yoder critiques both historical and contemporary interpretations of Jesus’ death in terms of their failure to bring together sound biblical exegesis (avoiding being drawn into the abstract theories of theological debates) and relational and social ethics (avoiding the flight into mysticism). Rather than the focus on sin as guilt (the essence of most ‘satisfaction’ theories), Yoder argues that the New Testament provides ‘two other foci of interest that define the lost condition: separation from God and incapacity to do the good.’ Thus, salvation is not primarily the remission of guilt or the cancellation of punishment. See further Yoder, Preface to Theology, 298 adds ‘on one hand, the exegetes, without having an adequate substitute, are sure of one thing, namely that the Anselmic view is not biblical. We shall see their reasons in detail later. On the other hand, the theologians (apart from the fundamentalists who never left him) are swinging back to Anselm from the humanistic views of a generation ago, blithely paying no attention to the exegetes. Some exegetes and
inseparable from discipleship. His emphasis is predicated on an evaluation of how in Luke’s gospel those in this ‘lost condition’ are saved, especially through Jesus’ death. As noted earlier, Jesus’ ‘counter-intuitive imperative of enemy love’ grew in importance for Yoder as the key to understanding Jesus’ life and teaching. When it comes to Luke’s account of Jesus’ death, he identifies the continuity between kingdom and cross which means ‘we are not called to love our enemies in order to make them our friends. We are called to act out love for them because at the cross it has been effectively proclaimed that from all eternity they were our brothers and sisters’.

In an essay published the year he died (1997), Yoder’s continuing preoccupation with the Roman and political dimensions of Jesus’ death was enlarged to include reasons for ‘Jesus acceptance of the cross’ as more than a ‘moral decision’. Rather it was an ‘eschatological … or, ontological decision’. He explains that Jesus’ vision of God’s future, ‘a

theologians therefore attempt to get along without clear answers, fleeing into sacramentalism, mysticism, or existentialism. This is possible for preachers and monks, but not for theologians or ethicists.’

517 Yoder, Preface to Theology, 300.
520 Yoder, "Are You the One Who Is to Come?," 211 would surprise many who share his commitment to nonviolence by adding that ‘it is thus a profound misapprehension of the messianic moral choice to think that in his rejection of violence, Jesus was led by methodological purism in moral choice, choosing to be an absolutist about the sacredness of life. It would be an equally profound misapprehension to think that he was the world's first Gandhian, calculating the prospects for a social victory as being in his particular circumstances greater for nonviolent than for violent tactics.’
521 Yoder, "Are You the One Who Is to Come?," 211 in contrast to his earlier concerns expressed in The Politics of Jesus, 48-49 where his argument is with ‘spiritualistic-apologetic exegesis has always emphasised that the Jews, or the Romans, or the Zealot-minded disciples, had Jesus all wrong; he never really meant to bother the established order.’ In Christian Attitudes to War, Peace, and Revolution, 314 he asserts ‘the first thing
truer picture of what the world *really is*’ divinely requires Jesus’ death on a cross. ‘If Jesus, accepting the cross, is the icon of the invisible God, then our participation in that same love is at the heart of the transformation of humankind into that same image … the cruciform life works because it goes with the grain of the universe’. Yoder’s understanding of Jesus’ death through the lens of discipleship reveals the unfinished nature of his view. It is one that prioritises the political at the expense of theological interpretation.

**Discipleship and the cross in Yoder**

Discipleship is also Yoder’s preferred means of explicating what participation in Jesus’ death means for lost humanity. He draws the deep and complex relationship between the metaphorical meaning of ὁ σταύρος (‘the cross’) and its more specific use for Jesus’ death (on ‘the

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522 Yoder, *The War of the Lamb*, 177, 179.

523 Here Yoder’s arguments would be strengthened by a closer and critical engagement with Bonhoeffer, *DBWE* 4:141, 145 who states that ‘loving one’s enemies leads disciples to the way of the cross and into communion with the crucified one.’ The disciples’ way of the cross and participation in the Crucified Christ mean that makes disciples able to see, so that even they can the enemies included in God’s love, that they can see the enemies under the cross of Christ.’ Once again Bonhoeffer sought to find the practical meaning of this solidarity by asking, ‘how does this quality work out in practice?’ His answer? ‘Such action itself is ceaseless suffering. In this action Christ is his disciples’ passio.’ But even ‘suffering’ can be interpreted as an abstract principle, so Bonhoeffer, *DBWE* 8:481 writing from the midst of his own suffering from prison, describes how ‘this being pulled along into the – messianic – sufferings of God in Jesus Christ happens in the New Testament in various ways.’ Before and beyond any of these New Testament forms, however, Bonhoeffer never tired of returning to Jesus and his Sermon on the Mount.

524 Lk 14:27 ‘Whoever does not bear his own cross and come after me cannot be my disciple.’
the cross’) in Luke’s gospel. In his final published work, Yoder summarises his interpretation of Luke’s use of σταυρός:

The other word for the cost of following is ‘the cross’. By the time Luke wrote his Gospel, he and his readers of course knew about Jesus own death; yet for the account of Jesus’ speaking to the crowd, that meaning cannot be assumed. What the cross then had to mean was what the practice of crucifixion by the Roman army already meant in that setting, namely, as the specific punishment for insurrection. Followers of Jesus, he warns them, must be ready to be seen and to be treated as rebels, as was going to happen to him.

The cross, interpreted by Yoder from Luke as a ‘synonym for discipleship’ simultaneously highlights both the strengths and the weaknesses of his understanding of this pivotal event. Against the ‘spiritualisers’, he persuasively reminds contemporary readers that Jesus’ death was an historical event that took place at the hands of the political (and religious) powers. Luke wants his readers to understand the cross as the only way of faithfully following Jesus and not think that σταυρός is an abstract ‘theory’ of atonement.

While it is true that Jesus’ first hearers could not have anticipated his death on a Roman cross, it is also true that Luke’s audience could not have made sense of Jesus’ death by any other readily apparent means. Yoder’s appeal to the likely understanding of σταυρός by Jesus’ followers prior to his death and resurrection – where σταυρός simply

525 Lk 23:26 ‘And as they led him away, they seized one Simon of Cyrene, who was coming in from the country, and laid on him the cross, to carry it behind Jesus.’ Yoder, The Politics of Jesus, 127, 129 where it is described as ‘one pervasive thought pattern’ in the New Testament … this is at the point of the concrete social meaning of the cross in its relation to enmity and power. Servanthood replaces dominion, forgiveness absorbs hostility. Thus - and only thus - are we bound by New Testament thought to ‘be like Jesus.’

526 Yoder, "Are You the One Who Is to Come?," 207.
means the ‘Roman form of death for rebels’ – is not persuasive. Why would Luke bother mentioning the form of Jesus’ death as the symbol of discipleship prior to his actual death on a cross if the latter does not serve to interpret the former? Additionally, Yoder’s view of the cross as the symbol of discipleship loses its deeper force if it simply means ‘a rebel’s death’. Yoder concedes that the cross then ‘had to mean’ both cost and punishment. But he does not offer any grounds for explaining why the historical meaning of σταυρός as cost and punishment cannot be assumed as intended dimensions of Luke’s theological understanding. Yoder seems inconsistent on this point. If Luke can draw theological implications of σταυρός for discipleship, it must be assumed that he also draws these in relation to the reasons for Jesus’ death. But it is precisely the crucial theological dimensions of Jesus’ death for Luke (such as punishment, cost or expense) that Yoder appears to ignore or deny.

527 A more persuasive interpretation of stauros in its historical and political setting is made by Martin Hengel, Crucifixion: In the Ancient World and the Folly of the Message of the Cross (London: SCM, 1977), 88-90 who notes particular themes of solidarity, kenosis and folly in the New Testament portrayal of Jesus’ crucifixion.

528 Yoder, The Original Revolution, 179 note 177 where the discipleship practice of nonretaliation is grounded in the cross by arguing that Jesus’ disciples are to ‘foster reconciliation at your own expense.’

529 The boundaries between ‘political’ and ‘theological’ are porous and their status as competing categories unhelpful in some respects. That the theological interpretation of Jesus’ death has definite political implications has been argued by Volf, Captive to the Word of God, 127-128 who imagines that the first Christians’ realisation that Jesus’ unjust death ‘was not only in that ‘he was killed instead of many of you, but that, in some mysterious way, he was killed also on your enemies behalf – indeed, that your leader has himself given his life on their behalf … instead [of threatening punishment] you try and win them over to become your friends … you condemn what your enemies have done … you only name their deed as evil … you accept immediately as part of your community and consider them brothers and sisters. You do not reject them on account of their past … but insist that your way is the way of love for one another, the kind of love that makes you willing to give your lives for each other.’
The limits of Jesus’ death in Yoder: ‘by’ not ‘for’ enemies

Jesus’ life and his teaching of enemy-love is a crucial aspect of Luke’s wider narrative of Jesus’ passion. We find these things properly emphasised by Yoder. But he effectively severs the connection between the discipleship of the cross and participation in Jesus’ suffering and death with the necessity of being ‘served by the Servant for the forgiveness of sins and then commissioned to serve.’ Schweizer demonstrated the necessary link between ‘being served’ and ‘service’ in his commentary on Luke 22:23-27. He draws attention to ‘Jesus serving, now illustrated in the context of the meal but also determinative of his entire life and death, as the basis for the service of the disciples.’ Yoder does not demonstrate how reconciliation, discipleship and revolutionary subordination can be faithfully embodied apart from the forgiveness of sins. In contrast with their prominence in the Lucan narrative, Yoder is virtually silent on Jesus’ prayer of forgiveness (23:34) and on his words of assurance for the criminal crucified at his side (23:39-43). Nor does Luke’s emphasis on Jesus’ commissioning his disciples to proclaim the forgiveness of sins in his name feature prominently in Yoder’s view of ‘discipleship’. These are serious omissions. In neglecting the Lucan emphasis on the forgiveness of sins, Yoder excludes from his interpretation Jesus’ suffering death on our behalf. Participation in the cross – something that Yoder wants to emphasise along with the related

530 Ben Cooper, "Incorporated Servanthood: A "Pragmatic-Critical" Analysis of the Theocentric Commitment Evoked by Matthew's Gospel" (PhD thesis, University of Western Sydney, 2010) 37. In the next chapter I argue that the naming and forgiving of Saul’s wrongdoing is the pivotal scene in Saul’s encounter with the risen Jesus and that it functions as a conversion and calling-commissioning (Acts 9:4).

531 Schweizer, The Good News According to Luke, 333 where Yoder’s departure from Schweizer on this crucial point of interpretation stands in contrast to Yoder’s general agreement with, and dependence on, Schweizer’s reading of Luke.

themes of reconciliation, discipleship, and subordination – is distinguished from forgiveness and salvation. Consequently, the cross cannot be the deepest fulfillment of the role of the Servant promised by Isaiah.\footnote{533} Yoder’s selective treatment is further exposed when compared with the work of Massyngberde Ford, who shared his commitment to Jesus’ nonviolence but who deals with Luke’s narrative of Jesus’ death more comprehensively.\footnote{534} As I will argue in the next section, Yoder’s continuing dialogue with and against Jesus’ interpretative ‘spiritualisers’ inadvertently weakened his explication of Jesus’ death as necessary (δεῖ cf. Luke 13:33 with Acts 9:16) to God’s purposes (βουλή see Luke 7:30; 23:51 and Acts 2:23; 4:28; 5:38; 13:36; 20:27).\footnote{535} I will contend that restorative justice theory and practice also provides a lens that encourages the interpretation of Jesus’ death as an event for wrongdoers and victims.\footnote{536}


\footnote{534} J Massyngberde Ford, \textit{My Enemy Is My Guest: Jesus and Violence in Luke} (Maryknoll: Orbis, 1984), 108-135 includes a total of eighteen pericopes in Luke’s account of Jesus ‘passion and death’ including the Triumphal Entry (19:28-40); words about the fate of Jerusalem (19:41-43); the Cleansing of the Temple (19:45-46); Jesus’ Teaching in the Temple and the Role of the Pharisees (19:47-48); the Last Supper and the Dispute about Greatness (22:24-30); the Two Swords (22:35-38); Gethsemane (22:39-46 including the ‘Sweat of Blood’ verses 43-44); Jesus’ Arrest (22:47-53); Peter’s Denial (22:54-62); the Mockery of Jesus (22:63-65); Jesus before the Sanhedrin and Pilate (22:66-23:5); Jesus before Herod (23:6-16); the Death Sentence (23:17-25); the Way to Golgotha (23:26-31); Jesus Forgives His Enemies (23:34); Jesus forgives the Criminal (23:39-43); and, the Final Declaration of Jesus’ Innocence (23:47).


\footnote{536} John Howard Yoder, \textit{The Priestly Kingdom: Social Ethics as Gospel} (Notre Dame: University of Notre Dame Press, 1984), ix where Hauerwas observes in the preface that ‘Yoder forces us to change our questions.’
Jesus’ death by and for his enemies (Luke 22 and 23)

Yoder’s account of Jesus’ death at the hand of his political enemies is insufficient because it fails to demonstrate God’s solidarity with criminals and wrongdoers in Jesus death for his enemies. It reduces Luke’s account to that of a mere historian, which according to Moule is ‘the external story. But it is not the whole story. To get the rest of it, one needs to go back to the story of Jesus' life and forward to the story of the sequel to this death.

Green identifies the competing aims in Luke’s story of Jesus’ passion and death:

Pilate desired (θέλω) to release Jesus, but finally gave Jesus over to the will (θέλημα) of the chief priests, leaders, and people in Jerusalem (23:20, 25, 13). Joseph on the other hand, a good and righteous man, had not been party to the purpose (βούλημα) of the Jewish Council (23:50-51) … we find Jesus in an analogous struggle, this time in prayer to God: ‘Father, if you are willing (θελέω), remove this cup from me’. Jesus is concerned to discern God’s will and, having discerned it, to do it. Nevertheless, not my will (θέλημα) but yours be done (22:42).


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537 Cf. Hengel, Crucifixion, 89 states ‘in the death of Jesus of Nazareth God identified himself with the extreme of human wretchedness, which Jesus endured as a representative of us all.’ The theological implications of God’s identification have been developed by Eberhard Jüngel, Justification: The Heart of the Christian Life (trans. Cayzer; Edinburgh: T&T Clark, 2001), 272 argues from the Cross that ‘a society must be assessed not primarily according to its successes and achievements, but according to its treatment of those persons who contribute nothing to the society’s political and economic life, such as children, the elderly, the infirm – and criminals.’

538 C F D Moule, "The Good Friday Story," in Christ Alive and at Large: The Unpublished Writings of C.F.D. Moule (eds. Morgan and Moule; Louisville: Westminster John Knox, 2010), 107 arguing that ‘viewed by the historian, it is one more crucifixion – another cipher in the dreary columns. But … this death was different … what looks to the historian like one more miscarriage of justice in the verdict on a single individual and on an obscure and fairly trivial scale, has something about it that drives us to look beyond the historian's purview.’


540 Green and Baker, Recovering the Scandal, 76.
too-easily replace instead of ‘illuminate the story Scripture tells’. As already noted, a restorative justice perspective suggests a two-fold interpretation of Luke’s account of Jesus’ death from the standpoint of wrongdoers (the major emphasis) and victims (a minor one). Luke’s ‘long and complex narrative’ requires the two points of view for a holistic interpretation because both wrongdoers and victims comprise his story and attract Jesus’ attention.

Since ‘the whole account of the death of Jesus forms one continuous narrative’, it can be summarised as: ‘Jesus' ministry, which consummates the fate of the Old Testament prophets.’ It is ‘a road to suffering, deliberately taken … this effects salvation in Jesus' love for humankind, thus … making possible the post-Easter way of service and suffering taken by the community.’ Robert Tannehill and James McClendon are in broad agreement that the best way to read Luke’s account of Jesus’ death is as a complete story. In the following analysis, attention

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541 McClendon, *Doctine*, 228, 232 considers that ‘Luke's Gospel, with Acts the ‘longest and most complex narrative in the New Testament’, is a prime example of this turning of the tables via the cross.’

542 A narrow focus on wrongdoers leads to a more ‘spiritualised’ interpretation of Jesus’ death that forces ‘God-ward’ or ‘devil-ward’ theories or metaphors upon Luke’s text. Alternatively, to focus only on victims leads to a more ‘human-ward’ explanation of why Jesus’ died thereby giving too much prominence to either the political and religious powers or anthropological or therapeutic considerations. Tannehill, *Luke*, 31 advises that ‘in thinking of the reception of Luke by the Lucan community, we must allow for diverse responses due, in part, to this community’s social diversity … how a Lucan scene might affect different groups differently.’


544 Schweizer, *The Good News According to Luke*, 340 adding Luke ‘emphasises the greatness of the temptation, the ‘power of darkness’ and Jesus' submission to God's will.’

545 McClendon, *Doctine*, 229 offers an attractive summary of the entire gospel of Luke, citing Tannehill who shows ‘in this frame, the opening birth stories set expectations for what is to follow: at last, God's saving purpose will be seen to embrace Jews and Gentiles. Next, Jesus accepts his mission, and goes about releasing sins and healing sicknesses. He is open to outsiders, ministering to the oppressed and excluded. But then comes a ‘tragic turn’: Jerusalem rejects its messianic king. Yet God integrates this rejection into the divine
is focuses on Luke’s account of events in the garden and on the cross rather than the trial scenes to highlight Jesus’ embodiment of enemy-love expressed through his prayers and conversations.

Jesus anticipates his death (22:38-53)

The first part of this continuous narrative, which begins on the night before Jesus’ dies with the supper and then prayer on the Mount of Olives, features Jesus’ words and actions as he anticipates his imminent death. The events unfold in order to πληρώσεως (‘to fulfill’ e.g. 21:24, 22:16) τὸ γεγραμμένον (‘what is written’ [in the Hebrew Scriptures]). Yoder stresses that for ‘political exegesis’ this question is central: ‘how could he [Jesus] have avoided the cross? Luke’s account of Jesus’ ἀγωνία on the Mount of Olives (22:44) is central to Jesus’ anticipation of his death. It

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purpose, overruling human purposes. The disciples can understand none of this, but at Passover and Easter, a crucial change occurs. The Gospel ends on a note of hope. A strength of Luke's account is that in Acts the story continues (as is only implied in the other Gospels), and there it becomes clear that the way of the cross is not left behind, but must reappear in the ongoing Christian mission (Tannehill, 1986-90 1:8).’

Luke uses the fulfillment motif to frame Jesus’ entire earthly ministry in terms of the cross: see Luke 4:21 ‘Today this Scripture has been fulfilled in your hearing’ with Luke 24:27, ’he interpreted to them in all the Scriptures the things concerning himself’ v. 32 ‘Did not our hearts burn within us while he talked to us on the road, while he opened to us the Scriptures?’ and v. 45 ‘Then he opened their minds to understand the Scriptures.’ The same motif can be found in Luke’s use of telos (‘a point of time marking the end of a duration’) in Luke 22:37 ‘this Scripture must be fulfilled in me.’ There are many detailed studies of fulfillment in Luke-Acts exist, for example Darrell L. Bock, Proclamation from Prophecy and Pattern: Lucan Old Testament Christology (Sheffield: JSOT Press, 1987).

547 “γράφο.” BDAG:207 perfect, middle participle (‘that is written’) which Luke uses as a formula introducing quotations (e.g. 4:8; 19:46), what is written about someone (e.g. 18:31).

548 Yoder, Discipleship as Political Responsibility, 57. Moule, "Christ Alive and at Large,” 107 asks ‘but why did he ever let himself be caught? Why did he have to go to Jerusalem – putting his head right into the lion’s mouth?’ Moule’s question recognises the geographical reality that in the garden, with a clear view of the arresting party coming across from the city gates, Jesus was less than 200 metres from escape into the safety of the wilderness.
reveals Jesus’ agonising over this very question: is what is written (about the Servant who must suffer) actually necessary?  

What this means is that Jesus was captured and crucified precisely because he confronted the ‘power of darkness’ and because he lived in a manner that included his readiness to die. In his prayer of submission at Gethsemane, this absolute ‘resistance’ to these powers is displayed. It is Jesus’ embrace of ‘revolutionary subordination’ that led to his death. Once arrested, it was his refusal to resist his captors that constituted Jesus’ continuing resistance to the powers of darkness. This is one of the sources of the agony Jesus’ experienced in the garden as his own words and actions indicate. This is why Luke 22 is the core text for Yoder’s discussion of Jesus’ death. His portrait of Jesus’ agony is informed by Isaiah’s image of the Servant who must suffer. Jesus is the innocent and

549 Brendan Byrne, The Hospitality of God: A Reading of Luke’s Gospel (Strathfield: St. Paul’s Publications, 2000), 175 is correct in noting that ζηγονίζω is not the ‘emotional distress’ but a ‘mighty contest’ a struggle to the death as in gladiatorial combat. Some commentators on Luke 22:38-53 concentrate on the contrast between Jesus’ obedience (resolute faith, dependence on God, submission to God) with the disciples’ failure to understand (struggle, inability and betrayal). This is most obvious in the example set by Jesus who, in prayer, submits to the will of God whereas the disciples fail to keep awake or finally fall into temptation. Unfortunately such characterisations only serve to reinforce Jesus as an exemplar of faith while Judas becomes the example of failed faith par excellence. Other commentaries see Jesus’ commitment to non-violent, non-retaliatory love and costly forgiveness being tested in the crucible of impending death. Barth, CD, §59.52: 257 contends that in the Gethsemane scene Jesus’ prayer, ‘there is already compressed the whole happening of Good Friday … in this respect the story forms the turning point between the two parts of the whole Gospel record … the reversal in which the Judge becomes the judged is now about to take place.’

550 For example in Yoder, Nonviolence - a Brief History, 95 observes that ‘Jesus’ particular way of rejecting the sword and at the same time condemning those who wielded it was politically relevant, both the Sanhedrin and the procurator had to deny him the right to live in the name of both of their forms of political responsibility. His alternative was so relevant, so much a threat, that Pilate could afford to free, in exchange for Jesus, the ordinary Guevara-type insurrectionist Barabbas.’ In The War of the Lamb, 177 Yoder notes that ‘when Jesus, the nonviolent Zealot, accepted death willingly and innocently, that was far more than merely one more martyrdom to add to the many others before and since. It was the end of the sacrificial system … no more can a society claim that its peace demands the blood of a scapegoat.’ A third example is found in “Are You the One Who Is to Come?,” 208-209; and, the classic expression of his central idea was made in The Politics of Jesus, 129 ‘to accept the cross as his destiny, to move toward it and even to provoke it, when he could well have done otherwise, was Jesus’ constantly reiterated free choice.’
willing *victim* who refuses the ‘zealot option’. He will not oppose the powers of darkness with physical violence or retaliatory action. By this reckoning, Jesus’ death is one that he faces on behalf of other victims and is necessary if we are to see as the basis for his being either our representative or substitute.\(^{551}\) It is in the garden that Jesus fully comprehends that the cost of loving an enemy requires dying for an enemy as well.

The structure of this text demonstrates that Jesus’ anticipation of his death is found jointly in his prayer that the cup be removed from him *and* in his commitment to the Father’s βουλή / θέλημα (‘will’) being done.\(^{552}\)

A.1 v.38 Two swords  
1.1 v.39 Disciples follow  
a.1 v.40 Instructions to pray … not to enter temptation  
i.1 vv.41-43a prayer - first cycle: God’s will to remove cup?  
i.2 vv.43b-44 prayer - second cycle: God’s will be done  
a.2 vv.45-46 disciples ‘not awake’ … second instruction pray not to enter temptation  
1.2 vv.47-48 disciple betrayal: Judas falls into temptation  
A.2 vv.49-51 disciples use of sword / Jesus’ healing the servant’s ear

The final sentences concluding the garden scene (22:51-53) form the climax of the narrative. The ‘power of darkness’ has the ascendency contrasted with Jesus’ prayer that God’s ‘will be done’. The surprising apex is Jesus’ strange confession that ἡ ἐξουσία τοῦ σκότους (‘the authority, power of the darkness’) had arrived. This was the unexpected outcome of God’s βουλή / θέλημα (‘will / desire’).\(^{553}\) According to Green, the ‘divine plan’

\(^{551}\) Yoder, *Preface to Theology*, 306 noted earlier that the relationship between Jesus’ cross and his followers is ‘this ’logic of solidarity’ or ‘federal headship’ but never developed further this constructive insight.


that provided ‘the form and focus’ of Jesus’ life and teaching is therefore ‘inseparable from the death he anticipates.’

Luke’s description of Jesus’ anticipation of his death begins with a brief instruction about the possession of swords (22:33-38). This peculiar command offers a crucial insight into Jesus’ self-understanding: is he to be ‘a fighting or a suffering Messiah?’ Furthermore, Jesus’ anticipation of his own death acknowledges the hostility to be faced by his disciples once their divine ‘protection’ is removed. How they respond to hostility determines their ability to follow truly in the way of Jesus. The verses about the disciples’ possession of swords, although unique to Luke’s gospel, are explained by the later use of the sword in the garden arrest of

accompanying it. Echoes of Israel's Scriptures add depth to that interpretation ... the staging of events indicates causation in the narrative: how the darkness and rending of the temple veil (vv 44-45) prepare for and lead into Jesus’ outcry and death (v 46), which then prompts the series of responses outlined in vv 47-49 ... the darkness parallels the day-of-the-Lord imagery in the previous verse. This event is part of God's working; the signs picture judgment, as well as the temporary prevailing of darkness ... relegated to the background of this scene are those whose hostility toward Jesus led to his rejection, crucifixion, and ongoing ridicule. Their place is taken instead by the ‘rule of darkness’ with which, in their malvolence toward Jesus, they had aligned themselves.’


555 As previously noted Jesus’ rejection of the latter (the ‘zealot option’) is close to the heart of Yoder’s project. See Yoder, The Politics of Jesus, 94 ‘the one temptation the man Jesus faced – and faced again and again – as a constitutive element of his public ministry, was the temptation to exercise social responsibility, in the interest of justified revolution, through the use of available violent methods.’ See also Hans Conzelmann, The Theology of St Luke (London: Faber and Faber, 1960), 82. The theological reasons are best accounted for by Morris, The Cross in the New Testament, 85 that ‘clearly Luke wants us to think of Jesus as One who saw it as part of His vocation that He should suffer. That was the will of God for Him. Suffering was not merely a crass accident, but it was integral to the conception of Messiahship as He saw it.’ See further Morris, The Gospel According to St. Luke, 310 where he presses the implications: ‘Jesus goes on to inform the disciples that the words of Isaiah 53:12 are about to be fulfilled. This is noteworthy as one of the few places in the New Testament in which that chapter is explicitly applied to Jesus. Jesus sees his death as one in which he will be one with sinners. This surely points to that death as substitutionary. He would take the place of sinful men.’

556 Conzelmann, The Theology of St Luke, 81 thinks ‘an epoch is ‘now’ dawning. The time when the disciples were protected is over, and the conflict is now starting, when they will need wallet and purse, when they will suffer want and have to face conflict. Since the beginning of the Passion – and only since then – to be a Christian means to be engaged in conflict, and the apostles are they who stand fast now.’ See also G W H Lampe, "The Two Swords (Luke 22:35-38)," in Jesus and the Politics of His Day (ed. Moule; Cambridge: Cambridge University Press, 1984), 337 ‘[Jesus] disciples will have to face a hostile world, shunned, boycotted and in danger of physical assault.’
Jesus which is attributed to all of the disciples (22:49-51). Reference to the swords is not the central motif in Luke’s account although they serve as an important frame of reference for Jesus’ anticipation of his death. Yoder’s interpretation of Jesus’ essential commitment to nonviolence is anchored in Jesus’ rejection and condemnation of the use of the swords in his defence. His challenge to his former teacher Karl Barth is to move beyond a ‘practically pacifist’ stance. If the God who is free has truly ‘tied himself down’ in Jesus Christ, if ‘it is Christ and not (social utopianism or legalism) who constrains us to renounce violence, then theology has no grounds for saying on what basis we could tomorrow say otherwise’. This means many historical interpretations of Jesus’ death require substantial revision. The Australian theologian Graham Cole asserts that fundamental convictions in theology are at stake in this question. He thinks that ‘how then we construe God’s character is of utmost importance’. At stake is whether Jesus’ death reveals God’s essentially nonviolent character. The issue is satisfactorily resolved by attending to the Lucan account of Jesus’ action and words in the garden and from the cross.

Gordon Lampe identifies three parts to Luke’s story of the swords. They consist of the citation of ‘he was numbered with the transgressors’ (Isaiah 53:12), the dialogue about the possession of swords (Lk. 22:38) and the episode where a sword is used against the high priest’s

557 Lampe, “The Two Swords (Luke 22:35-38),” 342-343, 345-346. A comparison is offered between Luke and the version in Matt 26:51 εἰς τὸν μετὰ Ἰησοῦ (‘one of those with Jesus’), Mk. 14:47 εἰς δὲ τῶν παρεστηκότων (‘one of those present / standing by’) and Jn 18:10 Σίμων οὖν Πέτρος ἔχων μάχαιραν εἰλκυσεν αὐτὴν καὶ ἔπαιτεν τὸν τού ἀρχιερέας δούλων (‘then Simon Peter, having a sword, drew it and struck the high priest’s servant’).

558 I disagree with Marshall, The Gospel of Luke, 827 who thinks ‘there is a fairly clear break at the end of the session in the upper room.’

559 Yoder, The Pacifism of Karl Barth, 27.

560 Cole, God the Peacemaker, 35.
The connection between the dialogue about the swords and their improper use is a straightforward misunderstanding on the part of the disciples. They fail to grasp the figurative nature of Jesus’ language (22:49-51). This is the last and most tragic in a four-fold succession of failures by the disciples recorded by Luke. Do the disciples’ multiple failures confirm their identity as the ἄνωτον (‘lawless ones, transgressors’) and thereby explain Luke’s citation of Is. 53:12 in connection with events in the garden? I remain unconvinced by Yoder’s interpretation that it is limited to this episode in the garden where Jesus is ‘reckoned with’ wrongdoers – who are in fact the sword-bearing disciples. He does not permit Luke’s account of Isaiah’s prophecy being fulfilled as well through Jesus’ crucifixion between two criminals on the cross. The principal emphasis of Luke’s ‘two swords’ discourse is on


562 Marshall, Beyond Retribution, 226-227 argues that Jesus’ instructions on procuring swords (22:36) ‘is best understood figuratively.’ Marshall cites four reasons why Jesus’ language must be figurative: Jesus often uses dramatic figurative language; Jesus language is general; Jesus cannot be ‘cancelling out a major emphasis of his previous ethical teaching’; and there is no indication after this event of taking Jesus’ words literally – throughout Acts there is no record of the disciples possessing or utilizing swords ‘or any other instrument of violence.’ There is general consensus about the figurative nature of Jesus’ language. See further, Lampe, "The Two Swords (Luke 22:35-38)," 338-339.

563 The use of the sword (22:49-50) is the climax of offenses after the quarrel about greatness, Judas’s betrayal and Peter’s denial. Conzelmann, The Theology of St Luke, 82 observes ‘the two swords becomes a sign of the misunderstanding which leads to armed resistance when Jesus is arrested, whilst their real task now is to suffer.’ Luke 22:38 indicates that in taking Jesus’ words literally, the disciples were misunderstanding him. Marshall, Beyond Retribution, 227 notes that ‘the words ἵκανον ἐστιν (’It is enough,’ NRSV) could be translated ‘Enough of this!’ which would help explain why Jesus later rebukes the disciple who strikes out with the sword in Gethsemane (22:49-50). It is only Morris, The Cross in the New Testament, 69 who notices that restorative action of Jesus confirms the disciples’ misunderstanding, noting that ‘Luke alone tells us, touched the man’s ear and healed him (Lk. 22:51; Luke also tells us that it was the man’s right ear).’

564 Lampe, "The Two Swords (Luke 22:35-38)," 342 argues that ‘to Luke it would seem, this violent action, from which Jesus so emphatically dissociates himself not only by word but by miraculous action (verse 51), identified the disciples as the anomoi to whom the prophecy of Isa. 53:12 had pointed.’ Lampe follows Yoder, The Politics of Jesus, 44 ‘Jesus says he is preparing them for his capture, for the fulfillment of the prediction that he would be found among compromising company.’ Yoder fails to notice in the citation of Is. 53:12
Jesus’ death with and for wrongdoers – including the disciples in the garden and those beside Jesus on the cross.

Identifying the disciples as lawless because they misunderstand and then disobey Jesus’ instructions about the sword is a secondary Lucan emphasis. Noting the central place that Luke gives to Isaiah’s ‘Suffering Servant’ for a proper interpretation of Jesus’ death, LT Johnson claims the deeper meaning of his citation of Is. 53:12 ‘interprets that death as one of vicarious suffering for the lawless and the sinners although he himself is innocent’.565 As the disciples are ‘not meant to act like such people’ the speech by Jesus in the garden about being ‘reckoned with the lawless’ is merely ironic.566 Returning to Yoder’s question – ‘how could Jesus have avoided the cross?’ – the answer has two parts. As I have argued, Yoder is correct in identifying the ‘zealot option’ of violent resistance as one means of avoiding the cross. This is specifically rejected by Jesus in the garden. But Yoder appears to neglect the possibility that Jesus could have avoided the cross by refusing the cup of suffering. He could have rejected the prophecy that his death was for the ἄνόμοι (Isaiah 53:12).567 A consciously political exegesis of the garden scene draws attention to Jesus’ unwavering commitment to nonviolence and his

(reckoned with the lawless), however, that Luke employs the language of solidarity – μετά (‘with’) – rather than the more incidental ἐν τοῖς (among) of the LXX.

565 Johnson, *The Gospel of Luke*, 347 the other two being ‘it interprets Jesus’ death in terms of fulfillment of God’s will expressed in Scripture rather than the machinations of humans’ and ‘it shows that Scripture foretold that Jesus would be ‘reckoned’ (ἐλογίσθη) as lawless by outsiders.’


567 This is essentially Yoder’s ‘Essene option’ of withdrawal and quietism.
solidarity with wrongdoers in his death.\textsuperscript{568} Enemy-love demands both responses.

Jesus’ encouragement to pray and his warning against \(\pi\varepsilon\rho\alpha\varepsilon\sigma\mu\omicron\omicron\varsigma\) (temptation, or severe testing),\textsuperscript{569} reinforces Yoder’s central argument that the ‘zealot option’ of violent resistance was, in fact, a real and viable one for him and his disciples. Anticipating Jesus’ crucifixion between two revolutionary bandits, the disciples could easily become \(\acute{\nu}\omicron\omicron\omicron\omicron\nu\omicron\omicron\omicron\nu\) (‘lawless ones, transgressors’) by taking up the sword.\textsuperscript{570} The \(\pi\varepsilon\rho\alpha\varepsilon\sigma\mu\omicron\omicron\varsigma\) for Jesus and his disciples is more than a failure to pray (22:45). It is more than the failure to practice nonviolence in the face of hostility (22:49-51). It is the failure to love an enemy and to be forgiving and compassionate like the heavenly Father. Jesus’ confrontation is with the ‘power of darkness’ experienced concretely in relationships marred by enmity, hate and the death-dealing cycle of revenge. The arrival of a ‘death-dealing’ power signals that Jesus’ own death is imminent.\textsuperscript{571} He must accept the cup of

\textsuperscript{568} Morris, \textit{The Cross in the New Testament}, 93 notes that ‘like Matthew and Mark, Luke tells us that Jesus was crucified with two thieves, ‘one on the right hand and the other on the left’ (Lk. 23: 33). As He died, Christ was in the very midst of sinners. His position symbolically set forth the significance of His death. Lest we should miss the significance of this, he includes in his narrative of the Last Supper a note which in the death of the Lord the fulfilment of the prophecy of Isaiah, ‘he was reckoned with transgressors’ (Lk. 22:37).’ Nonviolence more naturally aligns itself with victims who often bear the scars and injustice of violent wrongdoing. But Luke’s description of Jesus’ willingness to identify (nonviolently) with violent wrongdoers as well is highly significant.

\textsuperscript{569} This is a reminder of the petition in the model prayer he had earlier taught his disciples to pray (Lk. 11:4c ‘The Lord’s prayer’). Also Morris, \textit{The Gospel According to St. Luke}, 311 notes that \(\pi\varepsilon\rho\alpha\varepsilon\sigma\mu\omicron\omicron\varsigma\) ‘may mean temptation to sin, or, as some take it, a time of severe testing, an ordeal. The disciple should seek to be preserved from both.’

\textsuperscript{570} Luke 23:32 Ἡγοντο δὲ καὶ ἔτεροι κακοῦργοι δῶὸν σὺν αὐτῷ ἀναιρεθήναι. 

\textsuperscript{571} Green, \textit{The Theology of the Gospel of Luke}, 66 draws attention to the key part played by Satan in this and the surrounding passages. Satan enters Judas (22:3), threatens the integrity of the inner circle of disciples (22:31), tests Jesus in his resolve to proceed in obedience to God (22: 39-46) and is active in the arrest of Jesus with the description ἦ ἔξουσία τοῦ σκότους (22:53). See also Acts 26:18 where Luke uses similar language. Morris, \textit{The Cross in the New Testament}, 97 interprets Luke as saying ‘this is the supreme moment in the struggle against the evil one … especially are Satan’s activities seen in the events associated with the passion. He ‘entered into Judas’ (Lk. 22:3). When Jesus was arrested he could say, ‘this is your hour, and the power of darkness’ (Lk. 22:53). These words might be
suffering which consists of enmity, hate, revenge and, finally, death on a
rebels cross.

As noted previously, Luke calls Jesus' suffering in the
garden ἄγωνίᾳ (22:44), a hapax legomena, probably meaning 'distress' or
'anguish'. His description has provoked considerable speculation about
exactly what Jesus anticipated as he prayed the night before his
crucifixion.572 As noted earlier, the centre of Jesus' prayer (22:41-42) is a
choice between his will and that of the Father,573 between accepting or
rejecting τοῦτο τὸ ποτήριον (22:42 'this cup'). The nature of the cup and,
subsequently, the choice faced by Jesus causing his ἄγωνίᾳ, is highly
contested.574 Barth is not convinced that the cup is 'simply a matter of

understood as, 'This is your hour, and yet it is the power of darkness', in which case it
would point up the contrast between the joyous triumph of those who had arrested the Lord
and the realities of the situation. More likely the words are to be understood of Satan.'
Morris quotes Moffatt's century-old translation, 'this is your hour, and the dark Power has
its way.'

572 This includes the significant textual variations addressed by all the major commentaries.
1764 argues for their inclusion. Not surprisingly Fitzmyer, Luke X-Xxiv, 1443-1445 opted
to leave them out but notes they are generally considered canonical by Roman Catholics.
Morris, The Cross in the New Testament, 92 displays a very high degree of confidence in
the text and its meaning: 'Luke records the agony in Gethsemane. In our earlier discussion
of this incident we saw that the agony is meaningful only on the understanding that in the
death that He died Jesus would be identified with sinners ... though his narrative is rather
abbreviated (he does not mention the threefold coming to the disciples with the Lord's
command that they should watch and pray), yet he brings out more fully than the others the
significant that 'the word agony is found only here in the Ne

w Testament. Why was Jesus
in such perturbation as He faced death? It cannot be death as such that caused this
tremendous depth of feeling. Rather it was the kind of death that Jesus would die, the death
in which He was forsaken by God (Mk. 15:34), in which God made Him to be sin for us (2
Cor 5:21).'

interpretation of this key verse, dismissing the reality of Jesus' choice: 'he says not my will.
This does not mean that His will is in opposition to that of the Father: the very praying of
the prayer shows that it is not. But this is a strong affirmation of His desire that the Father's
will may prevail.'

574 For example, Marshall, The Gospel of Luke, 831 argues that the cup 'refers especially to
the infliction of punishment associated with the wrath of God (Ps 11:6; 75:8; Is 51:17; Je
for the cup is a metaphor for 'calamity and death' based on its previous use in 22:19-20, as

203
suffering and dying’.\(^{575}\) He wonders how Jesus’ accepting prayer that the Father’s will be done (22:42) clashes with his acceptance of the advent of the ‘power of darkness’ (22:53). Any persuasive interpretation of Jesus’ death must recognise the Lucan witness to both divine necessity and the powers of darkness.\(^{576}\) Jesus’ prayer in the garden effectively confirms the interpretation that his death was going to be for both theological reasons (fulfilling the Father’s will) and political reasons (unmasking the power of darkness).

Jesus and the women on the way to the cross (23:27-31)

Luke carefully constructs his account of Jesus’ death to incorporate those who participate in, and are complicit with, his crucifixion. On the way to the cross Jesus ‘converses with some women in the crowd who lament his death’ (23:27-31).\(^{577}\) In a remark presented as a chiasmus, Jesus says that sympathy should not be expressed for him but offered instead to themselves and their children. Why? Because Israel will be judged – an allusion to the fall of Jerusalem – and there will be many innocent victims facing suffering as a consequence.\(^{578}\) Previously in Luke’s gospel, Jesus addressed a faithful

\(^{575}\) Barth, *CD*, IV, 1 §59:258.

\(^{576}\) According to Green, *The Gospel of Luke*, 66 ‘lurking behind the scenes throughout this tale of conflict is the chief opposition against God’s purpose, and so against Jesus who unwervingly serves that purpose. This is Satan, who becomes in the Lucan passion narrative a key player. He has been present throughout the ministry of Jesus (cf., e.g., 13:10-17), but now, by entering into Judas (22:3) he gains a beachhead from which to attack Jesus from within the inner circle of Jesus’ followers. From there he threatens the integrity of the circle of disciples (22:31), tests Jesus in his resolve to proceed in obedience to God (22:39-46), and is even implicated in the arrest of Jesus (22:53).’ E. Jane Via, “According to Luke, Who Put Jesus to Death?,” in *Political Issues in Luke-Acts* (ed. Richard J. Cassidy and Philip J. Scharper; New York: Orbis, 1983), 122-133 finds the trial narrative decisive in determining the answer, but these texts fall beyond the scope of the present inquiry.


woman as θυγάτηρ (8:42) and referred to another as a θυγατέρα 'Αβραὰμ (13:16). In both cases the women are victims in need of ‘salvation’ (8:42) or freedom (lit. λύω – ‘to loose’ 13:16). Luke deliberately reverses the blessings and curses of Isaiah in Jesus’ prediction of the terrible judgment to come on Israel for its collective wrongdoing. But he is not indifferent to the suffering of innocent victims as a consequence of that very judgment.579 What, then, does Jesus’ death mean for these victims, these daughters, and for these innocent sufferers? The answer to these questions is postponed until the conclusion of Luke’s account of Jesus’ death (23:49). At this point in the narrative, however, Jesus’ words with these θυγατέρες show that Luke is not focusing exclusively on wrongdoers.580

In outlining a Christology that illuminates a genuinely biblical vision of restorative justice, I need now to examine three texts of Scripture that are unique to Luke’s gospel. They form three of the ‘seven words’ Jesus’ speaks from the cross: first, Jesus’ prayer of forgiveness for his wrongdoers; second, Jesus’ promise to the wrongdoer crucified beside him; and third, Jesus’ prayer for deliverance from wrongdoers.581

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579 Johnson, The Gospel of Luke, 375 observes that ‘Luke continues to portray Jesus as the sage and prophet … the violence done to him the messenger of peace, will be visited on those who do this violence, and in such terrible fashion that even the innocent will suffer as a result.’


581 François Bovon, The Last Days of Jesus (Louisville: Westminster John Knox Press, 2006), 52-55 curiously dismisses Jesus’ words from the cross as ‘theological’ constructions but not in any sense part of the ‘historical’ memory of Jesus’ actual words while on the cross. The basis for such dismissal seems to be an older, historical-critical bias against Luke’s testimony which conflicts with his magisterial François Bovon, Luke the Theologian: Fifty-Five Years of Research (1950-2005) (Waco: Baylor University Press, 2006). I have already noted the recent approaches to reading Luke-Acts in Green, Methods for Luke. The reliability of Luke’s account is more critical for passages where there is no parallel in the synoptics. These are the passages discussed concerning Jesus’ death in this chapter and the next two chapters (6 and 7) where the passages from Acts are closely examined.
Jesus' first prayer: forgiveness for his wrongdoers (23:34)\textsuperscript{582}

Although the textual status of the prayer is uncertain, Jesus’ prayer for the forgiveness of his enemies offers a particular insight into Luke’s portrayal of his death.\textsuperscript{583} Jesus here addresses God in the way typical of the author: God is πάτερ (‘father’ 10:21; 11:2; 22:42; 23:46). Jesus asks God to ἀφεῖν αὐτοῖς αὐτοῖς (‘forgive them’). It is reasonable to presume he is referring to those responsible for his mocking and crucifixion.\textsuperscript{584} As a prayer, there is no division between the personal and theological aspects of Jesus’ words. They are forgiveness,\textsuperscript{585} enemy-love\textsuperscript{586} and his submission to the faithfulness and mercy of God-as-father.

Jesus’ prayer for the forgiveness of his enemies is made in the immediate context of the preceding garden prayer that his Father’s will be done (22:42) and his dying prayer in which he places his trust in the

\textsuperscript{582} Johnson, The Gospel of Luke, 376 noting that the ‘verse is missing in one important MSS, and appears to interrupt the flow of the narrative’ still argues for its authenticity on four ‘thematic’ grounds: ‘a) it confirms the image of Jesus as sophos who demonstrates virtue until the very end of his life; b) it matches Luke’s version of the Lord’s Prayer (11:4); c) it fits within Luke's narrative schema: in the time of the prophet's first sending the people reject him because of their ‘ignorance’ (Acts 3:17; 7:25; 13:27); d) it establishes in Jesus’ own practice the legitimation for the proclamation of ‘repentance for the forgiveness of sins’ which describes the apostolic mission (24:47; Acts 2:38; 5:31; 10:43; 13:38; 26:18).’

\textsuperscript{583} Marshall, The Gospel of Luke, 867-868 for a detailed summary of the arguments for and against authenticity. Marshall’s tentative conclusion is ‘the balance of the evidence thus favours acceptance of the saying as Lucan, although the weight of the textual evidence against the saying precludes any assurance in opting for this verdict.’ Likewise Morris, The Cross in the New Testament, 69 like many others notes that ‘this word of the dying Saviour is not out of line with Luke’s interests.’


Father (23:46). While Luke stresses Jesus’ apparent confidence in offering these two prayers, the broader significance of Jesus’ prayer for forgiveness demands further consideration. Schweizer observes that in ‘his intercession even on behalf of his tormentors … [Jesus] opens the possibility of God's forgiveness’. By linking these prayers, Luke emphasises Jesus’ own death (23:46) and his enemies’ fate (23:34a) are reflected in his prayer that embodies the Father’s will (22:42). Significantly, this is a will bent unambiguously towards forgiveness. Jesus’ prayers are directed to the Father whom he knows to be compassionate and merciful (cf. 6:36). Luke wants to show that Jesus practices what he taught his disciples, namely, to forgive others on the basis of God’s forgiveness (11:4). Jesus’ teaching is also embodied in the petition of Stephen when he is stoned to

587 Green, *The Theology of the Gospel of Luke*, 67 connects those prayers under consideration in this chapter and the teaching about enemy-love in the previous chapter. He writes: ‘as Jesus struggles in prayer on the Mount of Olives, he addresses God as ‘Father’; moreover, as a true son, he does so in order obediently to represent the will of the Father in the course of his own life (22:42-24). His prayers from the cross are addressed to God as Father and build on the christological picture painted earlier in the Gospel. Now Jesus is portrayed as one who discloses the Father's mercy (cf. 6:32-26), and who trusts in his Father’s faithfulness (23:34, 46).’

588 Hans Urs von Balthasar, *Mysterium Paschale: The Mystery of Easter* (Edinburgh: T&T Clark, 1990), 125-126 gives ‘primacy’ to the ‘cry of abandonment in Mark’s gospel’ to the words from the cross and considers Luke’s ‘plea for a pardoning objectively contained in the Passion itself’ although less historically verifiable than Mark. See also Johnson, *The Gospel of Luke*, 381 who reflects a common interpretation of Lucan emphasis that ‘Luke shows Jesus in utter control. He forgives his executioners. He promises Paradise to the repentant criminal. And having done these things, he entrusts his spirit to his Father in prayer, and dies.’ Significantly Green, *The Gospel of Luke*, 819 notes that in Luke’s account ‘responding first to Jesus' crucifixion is Jesus himself. In his mind, his horrible and humiliating condition in no way jeopardises his relationship with God.’ Drawing all these threads together, John Nolland, *Luke 18:35-24:53* (vol. 35C; Dallas: Word Books, 1993), 1148 demonstrates the manner in which ‘Jesus remains true to his own vision: God is still his Father, and love for his enemies is still his practice, even in this extreme situation. The possibility of forgiveness is a central part of the Lucan understanding of the gospel.’ The theological implications of the three, interconnected prayers are considered by Cole, *God the Peacemaker*, 109 who thinks that ‘Jesus’ confidence in his Father comes out most clearly in the Lucan passion account. In the garden, with the prospect of the agony of the cross before him, he prays: ‘Father, if you are willing, take this cup from me; yet not my will, but yours be done’ (Luke 22:42). On the cross he assures the repentant thief, ‘today you will be with me in paradise’ (Luke 23:43). He dies with these words issuing from his lips: ‘Father, into your hands I commit: παρατάθημαι, ‘entrust’] my spirit’ (Luke 23:46).’

589 Schweizer, *The Good News According to Luke*, 360 which ‘at the same time pioneers a way for his disciples to let God's love shine forth through them.’
death for his profession of faith (Acts 7:53).

It seems evident that Luke weaves the beliefs of Jesus into three prayers in the hope that his readers would come to know God as the loving Father that Jesus knew. Jesus’ life and teaching are presented as a powerful testimony to the necessity of enemy-love and his death by and for enemies as mutually illuminating and reinforcing. Furthermore, Jesus’ prayer for forgiveness is not only the reversal of the usual Jewish cursing of enemies (cf. 2 Macc 7:19, 34-35; 4 Macc 9:15), but is most likely to be the deeper fulfillment of Is 53:12. More than half a century ago TW Manson concluded that Jesus finds the true meaning of his own career in the poem of the Suffering Servant of Jehovah (Is 53); and if that prophecy is to be the interpretation of His life, He must be 'reckoned with transgressors' (Is 53:12). If, as is likely, the quotation is allusive, we ought to take into account the whole verse of Isaiah, especially: 'He poured out his soul unto death, and was numbered with the transgressors: yet he bore the sin of many, and made intercession for the transgressors'.

On the cross Jesus is not merely found in the company of wrongdoers. Through his prayer for their forgiveness, he identifies so intimately with them that, as Isaiah says, he actually bears their wrongdoing.

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590 In sharp contrast to Stanley Hauerwas, Cross-Shattered Christ: Meditations on the Seven Last Words (Grand Rapids: Brazos Press, 2005), 27-28 who mistakenly believes that forgiveness 'shifts attention from Jesus to us' and takes the form of explanations ‘called atonement theories’. Far from forgiveness being a ‘speculative reading’ of Jesus’ words from the cross, Balthasar, Mysterium Paschale, 127 rightly observes ‘the Lucan words … interpret the gracious character of the judgment of the Cross.’ Luke’s focus is neither Jesus nor his readers, but the character of a gracious, forgiving, merciful Father towards whom the prayer is directed.

591 This invites the obvious question about punishment of the enemy’s wrongdoing and atonement for wrongdoing that was discussed in chapter 3.

592 Johnson, The Gospel of Luke, 381 reinforces ‘his death is shown to be utterly consistent with his life, his life an enactment of his teaching.’ A similar point is noted by Bock, Luke 9:51 – 24:53, 1850 ‘Jesus thus intercedes for his enemies, portraying the very standard he sets for his disciples in the Sermon on the Plain (Luke 6:29, 35).’

593 Manson, The Sayings of Jesus, 342 for the relevance of Is 53:12 to Jesus’ prayer. The view rejected here is that presented by Nolland, Luke 18:35-24:53, 1146 who thinks it is given ‘an unintended sense’ when ‘the servant of Isaiah interposes for the transgressors by bearing their sins rather than by offering a prayer of intercession for them.’
Jesus and the two wrongdoers crucified with him (23:39-43) 594

The conversation between Jesus and the two wrongdoers crucified with him is peculiar to Luke. For some it constitutes the core of his crucifixion narrative. 595 The inclusion of several distinctive elements associated with the events preceding Jesus’ death has led Green and Baker to conclude that ‘Luke has neither developed the concept of the redemptive death of Jesus more fully nor integrated it more fully into his narrative’. 596 Others note that Luke is the only gospel recording the response of repentance by one of those crucified with him. 597 Finally some interpret this same episode as a microcosm of the range of responses that will be provoked by the whole story of Jesus. One of those condemned to die with Jesus repents and

594 Johnson, The Gospel of Luke, 376 explains the term κακούργος ‘is generic, meaning one who is a malefactor, especially under the law. It occurs in Es 8:13; Prov 21:15; Sir 11:13. Luke typically prepares for the scene on the cross by interjecting this identifying notice. In Mark 15:27 and Matthew 27:38, the men are called (‘bandit/revolutionary’), a term foresworn by Jesus in Luke 22:52; and one Luke apparently wanted to avoid in any connection with Jesus.’ Likewise Joseph A. Fitzmyer, Luke the Theologian: Aspects of His Teaching (London: Geoffrey Chapman, 1989), 206 confirms the general definition as ‘wrongdoer’, but is less confident about identifying their crimes as insurrectionist noting that ‘Luke calls the two others κακούργοι, as he had in vv.32-33. These ‘evildoers’ or ‘criminals’ were being executed for misdeeds and crimes, but it is impossible to say whether they were Jews, not pagans, or in any way identified with a ‘zealot’ movement, as is often alleged.’


597 Bock, Luke 9:51 – 24.53, 1854-1855 surveys the likely reasons for this significant inclusion and concludes that the ‘old explanation’ of Origen, Chrysostom and Jerome that ‘the second criminal changes his mind’ is compatible with Plummer’s view that Luke had an additional source. The previous view – and it was widely held – was that Lucan additions proved his lack of historical credibility are now dated. Even Bovon, The Last Days of Jesus, 53 note 30 cites the Gospel of Peter who includes words of reproach by the second criminal to those who divided the Lord’s garments that resemble Luke’s: ‘we have landed in suffering of the deeds of wickedness which we have committed, but this man, who has become the saviour of men, what wrong has he done you? (Gos, Pet. 1.3).’ So also Fitzmyer, Luke the Theologian, 205 confirms Jeremias’ extensive ‘study of the language of the Third Gospel finds Lucan redaction at a minimum in this episode.’
receives the promise of salvation; the other rejects the possibility of grace and calls down judgment and condemnation on himself.\textsuperscript{598}

The repentance of the second wrongdoer is best understood as a response to God being ‘powerfully at work’ in Jesus who opens the possibility of forgiveness (23:34a).\textsuperscript{599} Amid the cacophony of insults and mockery from Roman soldiers and Jewish religious leaders, as well as the second wrongdoer’s own physical and emotional pain, the second wrongdoer overhears Jesus uttering the words ‘Father forgive them’. This wrongdoer evidently reasoned that if Jesus really was a king as the inscription above him ironically signaled (23:37-38), then it was a kingdom governed by forgiveness and redemption.\textsuperscript{600} His repentance is a response to the ‘good news’ manifest in the coming of this Kingdom. Luke records the dying man’s sincere and poignant plea: Ἰησοῦ, μνησθήτι μου ὅταν ἔλθης εἰς τὴν βασιλείαν σου.

The good news of Jesus’ kingdom, a kingdom that is ordered and ruled by a Father who offers forgiveness and redemption without

\textsuperscript{598} For example Augustine, \textit{Tractates on the Gospel of John} (ed. Rettig; Washington, DC: Catholic University of America Press, 1988), 31:11 observes that ‘even the cross . . . was a judgment seat. For the Judge was set up in the middle with the thief who believed and was pardoned on the one side and the thief who mocked and was damned on the other. Already then he signified what he would do with the living and the dead: some he will place on his right hand, others on his left.’ This pattern is more fully developed by Robert C. Tannehill, "Repentance in the Context of Lukan Soteriology," in \textit{The Shape of Luke's Story: Essays on Luke-Acts}. (Eugene: Cascade, 2005), 84-85 who highlights the broader connections in ‘Lucan soteriology, especially the connection of repentance and forgiveness with the historical ministry of Jesus, on the one hand, and with the rule of the exalted Messiah’ and not solely on the death of Jesus as a distinct saving event.

\textsuperscript{599} This is consistent with Luke’s theology where repentance and forgiveness belong together. This is shown by Tannehill, "Repentance in the Context of Lukan Soteriology," 88-89 as ‘an ethically transforming event, one that results in changed behavior . . . the primary and basic message is not ‘you must repent’ but this good news: the time of fulfillment of the promises, the time of salvation, has come. God is powerfully at work in the world changing things, and this provides a special opportunity in which you, too, can change. In this context repentance is not isolated human action. It is human action which, theologically discerned, is also divine action in individuals and societies.’

\textsuperscript{600} Hauerwas, \textit{Cross-Shattered Christ}, 33.
hesitation, a kingdom in which people are transformed so that they can love
their enemies like the Father, enables the second wrongdoer to accept
responsibility for his wrongdoing and its consequences. Salvation’
comes to the second wrongdoer in a very personal way: ‘he is the only
person to address Jesus simply by his name.’ Johnson makes the
connection between these two an explicit one, noting that ‘the use of the
personal name ‘Jesus’ is striking; it is used otherwise in Luke only by
demoniacs or others seeking healing (4:34; 8:28; 17:13; 18:38). The name
itself, of course, means ‘the Lord saves’. Salvation in and through the
name of Jesus, not surprisingly, becomes a dominant theme throughout the
books of Acts.

The essence of the second wrongdoer’s request of Jesus is
relatively simple but not altogether straightforward. In most contexts
wrongdoers hope that their deeds will be forgotten. It is the victims who are
more likely to preserve memories of the wrongdoing. How is the second
wrongdoer’s request that Jesus μνημονεύστη τι μου (‘remember’, or ‘bring me
into memory’) be interpreted in the light of these observations?

601 In Luke this is the beginning of wisdom and insight (Lk. 1:50; 18:2; Acts 10:2, 22, 35; 13:16, 26). It is also the proper regard (or fear) of God. It is God-in-Christ through which he understands a ‘sense of justice,’ as Jesus had not done anything ἄντοπον (‘improper’ literally ‘out of place’).

602 Bock, Luke 9:51 – 24.53, 1856 notes ‘the intimacy, setting, and sincerity are poignant.’


604 See the following two chapters (7 and 8) where Saul encounters the risen Jesus (Acts 9:4, 8), and in the city of Philippi (Acts 16:18, 31).

605 Volf, The End of Memory: Remembering Rightly in a Violent World, 69 observes ‘if we are concerned primarily with offenders as we remember wrongs suffered, we may remember in order to exact revenge on culprits and keep them shamed, guilt-ridden, morally inferior, politically controllable, or economically exploitable.’

606 Johnson, The Gospel of Luke, 338 explains the biblical significance of the term anamnesis (‘remembrance’). He says it ‘means ‘to bring to mind’ in something more than a mechanical way; it is a form of presence (see Plato, Phaedrus 72E, 92D). In the LXX, the verbs anamimnesko and mimnesko translate the Hebrew zakar, and their respective noun forms the Hebrew zikron, and have this strong sense of ‘keeping in mind’ (e.g., Gen 8:11; 9:15; 19:29; Exod 2:24; 6:5; Neh 1:8; 9:17; 2 Sam 18:18; Ezek 21:23; 29:26; 33:3; Tob
wrongdoer imagine a future in which King Jesus lives and rules with mercy and forgiveness?\textsuperscript{607} Significantly, the wrongdoer who asks to be remembered is also the first in Luke-Acts to recognise Jesus as simultaneously a saving victim and a merciful judge.\textsuperscript{608} There is a crucial link between the desire to be remembered and the nature of the one to whom the request is made. It would be irrational for a wrongdoer to ask a vengeful victim or a harsh judge to remember wrongdoing. In locating the moment of remembering in the longer processes of forgiveness and reconciliation, Volf discerns that the purpose of truthful memory is not simply to name acts of injustice, and certainly not to hold an unalterable past forever fixed in the forefront of a person's mind. Instead, the highest aim of lovingly truthful memory seeks to bring about the repentance, forgiveness and transformation of wrongdoers, and reconciliation between wrongdoers and their victims. When these goals are achieved, memory can let go of offenses without ceasing to be truthful. For then remembering truthfully will have reached its ultimate goal in the unhindered love of neighbour.\textsuperscript{609}

Jesus’ embodies this ‘unhindered love of neighbour’ when hanging on the cross because he is a \textit{saving} victim and a \textit{merciful} judge. It is more

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\textsuperscript{607} Green, \textit{The Gospel of Luke}, 822-823 highlights ‘this criminal … is the first to recognise that Jesus’ death is not a contradiction of his Messiahship, his role as Savior; he is the first to recognise that Jesus’ crucifixion is a precursor to his enthronement (cf. Acts 5:30-31), and thus he anticipates in his request Jesus’ kingly rule.’

\textsuperscript{608} Green, \textit{The Gospel of Luke}, 822 confirms Johnson’s interpretation but locates its meaning within Luke’s theological concerns as ‘his request, ‘remember me’ echoes words repeatedly addressed to Yahweh, whose memory is a source of divine blessing in keeping with his covenant. Like other marginalised persons in the [Luke’s] Gospel, the second criminal, this religious and social outsider, thus exercises astounding insight into the status and identity of Jesus … he knows Jesus' name and refers to him by name, Jesus – the name given by divine fiat in conjunction with Jesus' status as the Davidic Messiah (1:31-35), a name spoken by others seeking restoration (17:13; 18:38).’

\textsuperscript{609} Volf, \textit{The End of Memory: Remembering Rightly in a Violent World}, 65.
profoundly an expression of enemy-love because it ‘can let go of offences without ceasing to be truthful’. The request by the second wrongdoer is remarkable because he does not seek to have his past ignored or excused, but hopes that by naming and accepting responsibility for the wrongs he has committed (23:40) he will be remembered and forgiven. In Volf’s language, he will be remembering rightly. The promise of Jesus is grounded in this kind of remembering. Its foundation is the Father’s character and his kingdom – a reality predicated on and governed by forgiveness and redemption. Jesus’ enemy-love is made possible by his death even as the events on the cross make enemy-love possible explicitly through the naming and forgiving of wrongdoing. Jesus gives this promised future the name τῶ παράδεισος (‘paradise’ referring to [God’s] ‘garden’), a name that evokes an eschatological image of the new creation.

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610 Fitzmyer, *Luke the Theologian*, 207 translates this ‘for us it represents justice’, or lit., ‘at least we suffer justly.’

611 It is noteworthy that the wrongdoer asks that he be remembered and not his deeds, although this request goes well beyond the Christian cliché of ‘hate the sin, lover the sinner’. The wording of his repentance does not permit such an easy separation between the deeds and the doer.

612 Volf, *The End of Memory: Remembering Rightly in a Violent World*, 82 expands on the promise, that ‘in Jesus Christ, God has promised to every human being a new horizon of possibilities – a new life into which each of us is called to grow in our own way and ultimately a new world freed from all enmity, a world of love … new possibilities are defined by that promise, not by any past experience, however devastating … if they live into the promise, even if they are tempted at first to mock it – they will … enter a world marked by a genuinely open future that they could not have imagined in the living death of the old world they have constructed for themselves.’

613 Green, *The Gospel of Luke*, 823 notes ‘Jesus’ promise of Paradise ‘today’ is in keeping with Luke's understanding of the immediacy of salvation (cf. 4:21; 19:9) and underscores a central aspect of Luke's perspective on Jesus’ death: God's plan comes to fruition through, not in spite of, the crucifixion of Jesus, so that Jesus is able to exercise his regal power of salvation in death as in life.’ Extensive Scriptural and Jewish background is provided by Johnson, *The Gospel of Luke*, 378-379 and Fitzmyer, *Luke the Theologian*, 208-209 who concedes ‘though it is difficult at first to ascertain what precise nuance Luke might have intended in using paradeisos in this episode, it is clear that his idea is related to this intertestamental Jewish usage.’
We need to return here to the question of how Jesus fulfills Isaiah’s depiction of the Suffering Servant. Fitzmyer’s summary is succinct and to the point: ‘the real question about the Lucan story is whether God is portrayed in it bringing to realisation his salvific plan despite the suffering and death of Jesus or through that suffering and death.’614 This leads me to ask: in Luke’s mind is Jesus’ death merely at the hands of his enemies (a political explanation) or on behalf of his enemies (a theological explanation)? I am led to argue that Jesus’ enemy-love, witnessed in his life and teaching, demands that his death be interpreted as dying for enemies.615

The difference between a commitment to nonviolence and enemy-love is most acutely expressed in the relational proximity to wrongdoers.616 Jesus’ solidarity with wrongdoers, as expressed in his prayer for their forgiveness, means that Jesus is ready to die for wrongdoers and to exhaust the full role of Isaiah’s Servant. This is his first and main priority.617

Jesus’ second prayer: for deliverance from wrongdoers (23:46)

In what I have called his ‘dying prayer’, Luke’s emphasis on Jesus’ trust in God shows that Jesus is concerned with deliverance.618 In the garden, Jesus prayed that the Father’s will be done even though this entailed nonviolent

614 Fitzmyer, Luke the Theologian, 212 is of the opinion that ‘it is the latter’.
615 When Jesus’ Sermon on the Plain (Luke 6) is interpreted through the hermeneutics of nonviolence, then the reverse would be true: if Jesus (and therefore God) is essentially about nonviolence, this would culminate in Jesus dying at the hands of his enemies, but never for his enemies.
616 One of the unintended consequences of the theological discourse around ‘the powers’ is the way it has allowed the enemy to become distant and abstract. In the practice of restorative justice this kind of distancing and abstraction is neither possible nor desirable.
617 Fitzmyer, Luke the Theologian, 213 observes ‘the Lucan Jesus, who hangs crucified and is about to die, promises this repentant criminal a share in his own destiny. It is, in other words, an acquittal uttered by him who is “the one ordained by God to be the judge of the living and the dead” (Acts 10:42).’
618 Bock, Luke 9:51 – 24.53, 1862 notes ‘Jesus’ final words in Luke before his death come from Ps. 31:5. In the original psalm, the remarks are the prayer of a righteous sufferer who wishes to be delivered from his enemies and expresses trust that his fate is in God’s hands.’
submission to the power of darkness.\textsuperscript{619} Luke’s account repeatedly shows that Jesus was παρέδωκεν (‘delivered’) into the hands of his enemies (9:44; 18:32; 20:20 22:4, 6, 21–22, 48; 23:25; 24:7, 20). As Jesus dies, he prays παρατίθεμαι τὸ πνεῦμά μου (‘commit, entrust my spirit’) to the Father whose will he confidently believes is being fulfilled. Jesus’ prayer and practice, in seeking deliverance, anticipates his resurrection by God which has been foretold numerous times in Luke’s gospel (9:22; 18:33; 22:69; 23:43). Three things can be drawn from this prayer. First, Jesus displays love for his enemies when he prays for forgiveness of those who crucified him. Second, Jesus displays love for his enemies through the promise to the second wrongdoer that he will be with him in paradise. Third, Jesus displays love for his enemies in trusting God to deliver him from evil (or ‘the evil One’ cf. Matt 6:13b) rather than petitioning God to destroy his enemies. The deepest dimension of Jesus’ enemy-love is revealed in this final prayer. He loves his enemies so completely that he desires not their destruction but his and their deliverance. This leaves open the possibility that the enemy might seek repentance and be reconciled. A reconciled enemy becomes a guest, a neighbour and perhaps a friend. Conversely, it is improbable that a defeated or destroyed enemy could become any of these.\textsuperscript{620} The very possibility of the enemy changing their

\textsuperscript{619} Green, \textit{The Gospel of Luke}, 826 likewise notes ‘the words of his prayer are borrowed from Ps 31:5, a text in which the Suffering Righteous One entrusts himself to God's care. Employing this psalm, Jesus manifests his own faith in the sovereign God whom, he believes, will rescue him from the hands of his enemies.’

\textsuperscript{620} In light of Jesus’ dying words on the cross, the desire for reconciliation with the enemy and the desire for the enemy’s defeat are seen to be mutually exclusive. Although the language of ‘disarming the enemy’ is better, it still relies on images of contest and conquest. The true goal of enemy-love, however, must remain the transformation of the wrongdoer and reconciliation with the enemy.
heart and mind is the final, climactic reversal of Luke’s story of Jesus’ death.

Luke records the centurion’s verdict on the condemned Galilean ὁ ἄνθρωπος οὗτος δίκαιος ἦν (‘this man was just’ 23:47) which foreshadows God’s own vindication declared in the resurrection.621

As with the centurion earlier in Luke’s narrative (7:1-10) and in the experience of another centurion later in the narrative (Acts 10:15), Luke provides glimpses of the conviction of God-fearing Gentiles who will become members of his restored people.622 Did the centurion overseeing Jesus’ crucifixion also hear Jesus’ prayer for the forgiveness of his enemies? Was the centurion privy to the conversation between the second wrongdoer and Jesus in which the promise of salvation is made? By whatever means the centurion came to his insightful verdict, his announcement of Jesus’ justice reverses the previous reckoning of religion and empire, thereby

621 Green, The Gospel of Luke, 827 argues ‘the designation of Jesus as ‘righteous’ plays off several related motifs. First, we are reminded of Jesus’ innocence, repeatedly testified in the trial scene. Second, we are reminded of Luke’s identification of Jesus with the Suffering Righteous One of the Scriptures of Israel. Third, and more specifically, Luke thus identifies Jesus as the Isaianic Servant of Yahweh. This last point is made clear by two considerations: (1) the presence of other echoes of the Servant material in the Lucan passion account, and (2) the comparable use of ‘righteous’ in conjunction with Jesus’ death in Acts 3:13-14, in a co-text where the allusion to Isa 52:13-53:12 is indisputable. Again, then, Luke has brought into close proximity the dual identification of Jesus as Messiah and Servant, so as to articulate the suffering role of the Messiah.’ See further Tannehill, Luke, 347 who demonstrates that ‘Righteous One’ is a ‘significant title for Jesus, as is shown by its application in Acts 3:13-14 and 7:52 to Jesus as God’s servant, the one foretold by the prophets. Although a number of scriptural references to the righteous may contribute to this usage, Wis. 2:12-3:1 is striking because the situation parallels the passion story so closely. The ungodly lie in wait for the righteous one. They want to test his claim to be God’s son, so they decide to condemn him to a shameful death. But they do not take account of the fact that death is not the end for humans nor that ‘the souls of the righteous are in the hand of God’ (3:1). For the narrator, a description of this kind is fulfilled by the Davidic Messiah who is called righteous in Jer 23:5; Zech 9:9 LXX; Pss Sol. 17:32 (cf. Brown 1994, 1165). It may seem strange that the centurion’s confession of Jesus as Son of God (Matt. 27:54 and Mark 15:39) is changed to ‘righteous.’’ Finally Johnson, The Gospel of Luke, 382 notes that although the centurion’s ‘declaration could be translated ‘innocent’ (RSV); certainly Jesus’ innocence is a major theme of the passion narrative (23:4, 14, 15, 22, 41). But the term δίκαιος has the deeper religious significance of “righteous,” and this is the sense Luke clearly wants the reader to take. Notice how this is picked up in the kerygmatic statement of Acts 3:14: ‘you denied the holy and righteous one.’”

unmasking the failure of the politics of expediency, exclusion and violence.
The politics of Jesus are therefore demonstrated in his life and death and resurrection. These three elements cannot be separated and there is no scope for them to ever be treated in isolation. Luke concludes his account of Jesus’ death with a powerful image.623 One Gentile soldier – representing both enemy and wrongdoer – is transported from darkness to light so that he sees properly for the first time and names Jesus as the Righteous One (the sufferer).624 It is a symbolic image of the reconciliation achieved between the crucifier and the crucified.

God’s act of reconciliation brought about through Jesus’ death is first and foremost focused on wrongdoers. Luke’s sustained attention is on Jesus’ solidarity with wrongdoers. Jesus’ death is both by and for his enemies, which is the deepest and most profound expression of enemy-love. Before concluding his account of Jesus’ death, we need to ponder what Luke says about those who, like Jesus, suffer wrongdoing. What does Jesus’ death mean for victims?

Jesus and the women at a distance from the cross (23:49)

Luke’s account of the events surrounding Jesus’ death includes a small circle of people who under any schema could not be identified as wrongdoers. What place do they occupy and what function do they serve in Luke’s presentation? The lens of restorative justice offers the best


624 Green, *The Gospel of Luke*, 824 argues that Luke is ‘building on the metaphorical importance of sight employed throughout the Gospel (see above on 4:18-19), Luke pictures the centurion as seeing and really seeing - that is, as recognizing more fully than the rest the significance attributed … the death of Jesus within the Lucan narrative. He exercises insight into Jesus’ own identity, and realises in Jesus’ presence, even in Jesus’ dying moment, the presence of God.’
perspective on this questions by acknowledging that wrongdoing is more than just a ‘problem’ for the wrongdoer. Other needs, such as the interests of victims, must be addressed as well. Beginning with the pioneering insights of Daniel Van Ness through the deeper reflections of Miroslav Volf to the emerging challenges of Susan Herman, theological reflection must address the needs and concerns of victims. Concentrating closely on this reflection has however, had unintended consequences for some theological suppositions. The victim’s needs can be defined therapeutically in terms of ‘healing’, ‘resolution’ and that often elusive goal, ‘closure’. But a comprehensive account of Jesus’ life, death and resurrection provides a more productive and holistic approach. To complete this chapter we need to consider what Jesus’ death ‘for us’ might mean for those who are victims?

The African-American spiritual, ‘Were you there when they crucified my Lord?’ provides a clue. Its tenor is consistent with Luke’s offering his deepest theological insights on Jesus’ death in the context of Jesus’ prayers. Here I am taking a more contemporary form of prayer – the laments of the African-American people in the context of slavery and

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625 Van Ness, *Crime and Its Victims*, 34 observes ‘in the suffering God is present … He can transform suffering into new life, just as he raised Jesus from the dead … (and then quoting Zehr) ‘becoming a victim is not a sign of God’s abandonment … God is with victims … God became a victim with us through Christ.’

626 Miroslav Volf, "Original Crime, Primal Care," in *God and the Victim: Theological Reflections on Evil, Victimization, Justice, and Forgiveness* (ed. Lampman; Grand Rapids: Eerdmans, 1999), 34 observes how ‘the story of Cain and Abel takes decidedly the perspective of the victim and condemns the perpetrator. At the same time, however, it underscores the imperative that we not demonise the perpetrator. True, justice must be pursued, and the punishment of the criminals must be appropriate. But even at their worst, criminals remain human beings and, therefore, ‘neighbors’ for whom we must care.’

627 Herman, *Parallel Justice*, ix defines parallel justice as ‘our obligations to victims exist apart from our separate commitments to hold offenders accountable … the idea that victims deserve justice, a communal commitment to keep them safe and help them rebuild their lives - regardless of whether an offender is ever identified or prosecuted.’
oppression – as a departure point for understanding what Jesus’ death means for people who are not primarily wrongdoers.

It is no coincidence that Luke begins and ends his account of Jesus’ death with the witness of women. He makes three important points about these women. First, although they are distinguished from the apostles, they are not distinguished from the disciples because they had γυναῖκες αἱ συνακολουθοῦσαι αὐτῷ (‘followed him together’, 23:49). Second, these women have come from Galilee. The reference to Galilee takes Luke’s readers to the witness and work of the women who supported Jesus and the Twelve from their own personal resources (8:1-3), and moves the reader forward to the nucleus of the Galilean community which becomes the first church in Jerusalem (Acts 1:14).

Third, the women are significant witnesses to Jesus’ life and ministry (8:1-3), the events of his death and burial (23:55) and the resurrection (24:1-8). It is inconceivable that Luke’s account of Jesus’ crucifixion could cause his readers to ever consider these women as wrongdoers.

Are there any pointers in Luke’s brief description that might indicate that these women should be understood as victims? First, Luke does not consider the women as neutral spectators. Those who are present for the ‘spectacle’ (23:46) depart beating their breasts. Those remaining stay in

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628 It is beyond my scope to survey Luke’s attitude to women more generally. I simply note here their prominence in Jesus’ life and ministry, and at Jesus’ death, the resurrection accounts and their continuing importance in the reconciling practice of Paul’s mission (Acts 16:13-15, 40; 17:4, 12, 34; 18:2).

629 That they are ἀπὸ τῆς Γαλιλαίας (‘from Galilee’) also reminds Luke’s readers of the beginnings of Jesus’ public ministry (Lk 4:14ff) when he announced from Isaiah those for whom salvation had come.


631 Green, The Gospel of Luke, 828 notes ‘beating their breasts’ suggests ‘sorrow or mourning, with the result that Luke has framed the scene of execution with acts of grief (Jerusalem’s daughters - v 27; the gathered crowds - v 48). Linguistic parallels invite further
solidarity with Jesus who is clearly the victim of political and religious enmity and denied justice. These γυναίκες are either victims or stand in solidarity with the victim (Jesus). Second these γυναίκες stand at ἀπὸ μακρὸθεν (‘distance’ or ‘far away’) indicating some degree of continuing fear of those who are engaging in wrongdoing. The sociology of violence acknowledges the tendency of potential victims to ‘keep their distance’ from actual victims. 632 Third, the women are unlike other disciples in that they have followed him faithfully all the way to the cross. In Luke’s gospel these women are model disciples and, as already noted, they become the first witnesses to the resurrection. Fourth, Luke says they ὤροσαν (‘watched’ lit. ‘perceived’) these [things] that were happening. 633 Luke does not, however, recount words exchanged, emotions expressed, decisions made or even acts anticipated. Luke’s account of Jesus’ death formally closes in ‘perceiving’ silence (23:49).

Silence is portrayed as the awkward but natural response to Jesus’ death as a victim and for victims. 634 Theologically, the silence of Holy Saturday is the only available posture for watching ‘God’s death’. 635 

comparison between the humble, justified tax collector (18:9-14) and these crowds (23:48).’ C F D Moule, "Holy Saturday," in Christ Alive and at Large: The Unpublished Writings of C.F.D. Moule (eds. Morgan and Moule; Louisville: Westminster John Knox, 2010), 110 compares these with ‘others who had just seen Jesus die, were less closely involved; they were just spectators. They beat their breasts (Luke's Gospel says) and went back to normal life.’

632 Green, The Theology of the Gospel of Luke, 68 notes ‘Jesus’ death emphasises the hostility to be encountered by those who proclaim God’s coming as a reversal of status.’

633 Moule, "Christ Alive and at Large," 109 connects this knowing with suffering by noting that ‘life holds no more horrors for them, because they have already met the worst: they are initiates, cognoscenti; they know. And, by knowing, they have attained to a kind of peace, an equilibrium, a truce with pain.’

634 If Jesus’ death was merely by his enemies, anger or dismay would appear to be more natural responses from those sympathetic to him.

635 Alan E Lewis, Between Cross and Resurrection: A Theology of Holy Saturday (Grand Rapids: Eerdmans, 2001), 31 argues ‘as the events of that climactic weekend occurred, and as the gospel story recounts them, this did not begin as a three-day happening, destined to end as a story of victory and life. Far from being the first day, the day of the cross is, in the
Practically, in terms of discipleship and communal life, it is the ‘discipline of lament’ that knows how to be silent, and to pray, before speaking. The silence is a prayerful (or liturgical) one consistent with the Lucan approach of expressing theological truths that might otherwise evade more socio-political rendering. Scottish theologian Alan Lewis offers the following prayer that brings both the theological and practical facets together:

God the Son, for us, between your dying and rising, you lay buried in a tomb and descended into hell. Cursed for our sin and extinguished by our perishing, you suffered all our agonies of pain and judgment and abandonment, succumbing to the evil one who held us in the grip of fear and guilt, and our world in bondage to injustice and to death ... God the Three-in-One, whose unity is realised in communal exchange between the Father, Son and Spirit; eternal Lord, whose changeless, ever changing being is fulfilled in the dynamic of history and becoming: across the abyss of separation on the cross and in the grave you have reconciled the world and swallowed up our death, making space for our humanity within your divine community. Hear our prayer for a world still living an Easter Saturday existence, oppressed and lonely, guilty of godlessness and convinced of godforsakenness. Be still tomorrow the God you are today, and yesterday already were: God with us in the grave, but pulling the sting of death and promising in your final kingdom an even greater victory of abundant grace and life over the magnitude of sin and death.

For Lewis, a theology of ‘Holy Saturday’ must awaken a vision for the Christian community as one of self-donating love and reconciliation that I will pursue in greater detail in chapter 9. Luke concludes his account of Jesus’ death in observing the silence between his dying and rising, the logic of the narrative itself, actually the last day, the end of the story of Jesus ... [the] in-between day that waits for the morrow ... an empty void, a nothing, shapeless, meaningless, and anti-climactic: simply the day after the end.’ This must come before either Karl Barth’s theological affirmation of God’s emphatic ‘yes’ for victims (trumping death/evil’s ‘no’) or Jürgen Moltmann’s understanding of God’s solidarity of suffering with victims.

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637 Lewis, Between Cross and Resurrection: A Theology of Holy Saturday, 466 concludes ‘and for your blessed burial, into which we were baptised, may you be glorified for evermore. Amen.’
silence experienced between godforsakenness and abundant grace, the silence shared by victims of wrongdoing.

Conclusion

This chapter began with a sympathetic reading of Yoder’s interpretation of Jesus’ death. Over and against the ‘spiritualiser’s’ interpretation which does not really ask how Jesus may have avoided the cross, his political reading of Jesus in the garden and on the cross demonstrates Jesus’ final and complete renunciation of the zealot option. Jesus’ enemy-love is embodied in his prayers and practice in the garden and hanging from the cross. But Yoder’s less rigorous engagement with Luke’s account of Jesus’ death weakens the persuasiveness and appeal of his interpretation. Jesus’ death is not only by his enemies but, in solidarity with his wrongdoers, for his enemies. This is an important distinction. Does my interpretation of Jesus death for enemies allow the ‘spiritualisers’ to restate their claims by the ‘back door’?638 Perhaps. It is Luke who must accept final responsibility, however, because his narrative of Jesus’ death does not ultimately yield an exclusively ‘political’ reading. He locates his most important theological reflections on Jesus’ death in prayers that come from the lips of Jesus himself. This does not mean that Jesus’ words from the cross are unhistorical. Rather it means that to interpret fully Luke’s story of the cross, a ‘spiritual’ interpretation (I think ‘theological’ is less pejorative) cannot be excluded a priori. For example, that Jesus’ death means something for those who are not primarily

638 In other words, Jesus’ death for enemies as divine necessity would seemingly eliminate all practical options for Jesus avoiding the cross, zealot or otherwise.
wrongdoers is a profound theological (or spiritual) insight, offered by those from a marginalised social, economic and political location.

The perspective of those in need of salvation and liberation is a constant feature of Luke’s gospel in which (following Isaiah) restoration is promised to prisoners (wrongdoers) and healing of the poor, blind and oppressed (victims) by Jesus. The culmination of this saving, reconciling work of God is Jesus’ death on the cross. Luke’s relational approach highlighted the conversations between Jesus and the mourning women on the way to the cross, and then between Jesus and the two wrongdoers on the cross. Luke’s theological commitments are conveyed through prayers to God the Father spoken in the garden and from the cross. Each feature highlights Jesus’ proximity to wrongdoers and show his solidarity with them. Jesus loves his enemies completely, even to the point of dying for the enemy.
Chapter 6  The risen Jesus and restorative justice

‘Jesus’ forgives’ – but theological analysis can easily ignore the process of forgiveness as it unfolds through the life and death of Jesus. In Jesus’ life, the desire to forgive (as God forgives), is an imaginative practice that exemplifies what Jesus’ meant by enemy-love. Normally the desire to forgive must be nurtured long before forgiveness is offered. In Jesus’ death, the desire to forgive becomes the prayer that God will forgive the enemy. Jesus’ death for enemies – expressed by praying for their forgiveness – is the next necessary step towards forgiveness. It may be many years of desiring to forgive and praying for God to forgive before the actual moment of forgiveness arrives. After Jesus’ death, the reconciling moment of naming and forgiving occurs because forgiveness springs from the very nature of His resurrection.

This is essentially the argument of William Danaher who suggests that ‘the resurrection, rather than the atonement, provides the proper starting point for theological reflection on reconciliation and on restorative justice’. 639 His contrast between ‘cruciform’ and ‘pashcal’ views

639 William Danaher, "Towards a Paschal Theology of Restorative Justice," Anglican Theological Review 89 (2007): 359. Following the advice of one of my supervisors, and independently of Danaher’s article, the current chapter on Jesus’ risen life was written as the first of the five biblical-theological chapters comprising Part II. My methodology has unwittingly followed his proposal. Connecting the world’s need for justice with Jesus’ resurrection is the challenge enunciated by Jon Sobrino, No Salvation Outside the Poor: Prophetic-Utopian Essays (Maryknoll: Orbis, 2008), 102 who rightly argues that ‘resurrection, therefore, means first and foremost doing justice to a victim, not giving new life to a corpse, even if this is its logical presupposition. It refers not simply to a death, but to a cross; not simply to dead people, but to victims; not simply to a power, but to a justice.’ Sobrino’s central affirmation is together ‘the risen one is the crucified one’ and the ‘place of victims’ forms an ‘irreplaceable hermeneutical tool for understanding the texts that speak of a crucified man raised.’ See further Jon Sobrino, Christ the Liberator: A View from the Victims (Maryknoll: Orbis Books, 2001), 84 arguing ‘what is specific about Jesus’ resurrection is, therefore, not what God does with a dead body but what God does with a victim. The raising of Jesus is direct proof of the triumph of God’s justice, not simply of his omnipotence, and it becomes good news for victims; for once, justice has triumphed over injustice … God is the God who liberates victims.’ Unfortunately Sobrino – representing
of reconciliation is based on this proposition. Consequently Danaher thinks that ‘images and themes that pertain to the resurrection, such as the declaration of the ‘new creation’ have been neglected.\footnote{Danaher, "Towards a Paschal Theology of Restorative Justice," 360.} Danaher’s principal criticism of South Africa’s Truth and Reconciliation Commission is that it was grounded in a cruciform view of reconciliation and required ‘the moral heroism’ of victims. This is not convincing. Nor is his attempt to portray the theologies of Marshall, Volf and de Gruchy as claiming ‘that the cross, as an historical event with eternal significance, has already established the new covenant of reconciliation’ as realities for which the church and the world ought to ‘strive’.\footnote{Danaher, "Towards a Paschal Theology of Restorative Justice," 364, 366-369. This criticism is made of restorative justice specifically with regard to the specifics of the TRC. See further Charles Villa-Vicencio, "Restorative Justice: Ambiguities and Limitations of a Theory," in The Provocations of Amnesty: Memory, Justice, and Impunity (eds. Villa-Vicencio and Doxtader; Trenton: Africa World Press, 2003).} The eschatological vision of reconciliation is one of the indispensable contributions of Volf who functions as my dialogue partner in this chapter.

In developing his argument Danaher perceives the significance of the risen Jesus’ encounter with Peter and Paul where both

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many theologies of liberation – does not convincingly demonstrate how the resurrection is also good news – liberation – for wrongdoers. Critically it is those who have been imprisoned – or lived and worked in solidarity with those imprisoned – who provide the better theological insights into the nature of Jesus’ death and resurrection and this resurrection freedom for wrongdoers. For example, Will D. Campbell, "Good News to Prisoners," in \textit{Writings on Resistance and Reconciliation} (Eugene: Cascade, 2010), 24 is better in articulating the notion that ‘God in Jesus did and does free the prisoners. Resurrection. Jesus is prisoner in our place. He is executed in our place. So that we might be free. So that we might be resurrected. “Free?” Yes, free to be with God and with neighbors and enemies the way Jesus was with God and with neighbors and enemies. But free also in and from prisons of stone and concrete’ which means ‘we cannot blot out Christmas and Easter. Jesus became a criminal and prisoner of society and was executed for us. All! Everyone! When we call him Lord! Lord! we are therefore calling upon a Lord who was and is a prisoner … we cannot take refuge in our law-abidingness, our good citizenship and economics, for our Lord was himself executed as a criminal and thus brings freedom, resurrection, to them.’ The freedom is to be ‘with God and with neighbors and enemies’ in new relationships that witness to and embody the relational event of the resurrection.
\end{quote}
offenders encounter the risen Lord and receive in the same moment judgment and mercy. The risen Lord, who vindicates all victims, nonetheless saves the oppressors, thus initiating a new way to transcend the domination and diminution that characterizes human society. But instead of placing the victims over the oppressors, which only changes the roles but not the script, Jesus' reconciliation presents an invitation to live an entirely new life.  

It is not clear how Danaher interprets the Damascus encounter as being fundamentally any different to the 'Pauline trajectory of reconciliation' that he dismisses. My argument is that the life, death and resurrection are not mutually exclusive to the work of restorative justice. This is supported by the narrative of Jesus' resurrection in Luke-Acts. 


Resurrection is an act of God. After Jesus had died on the cross, claims about an empty tomb together with his many appearances inspired what many scholars consider to be the earliest Christian affirmation that 'God raised him from the dead' (Acts 3:15). This raising of Jesus was 'a new and unexpected act of God.' Questions relating to the empty tomb, the appearances of the risen Jesus, and the remarkable spread of Christianity

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642 Danaher, "Towards a Paschal Theology of Restorative Justice," 369-370 argues that this is 'manifest by Jesus and in the resurrection of the crucified Christ … [the resurrection] brings into the world says that in fact the executioners will not finally triumph over their victims. It also says that in the end the victims will not triumph over their executioners … the one will triumph who first died for the victims and then also for the executioners, and in so doing revealed a new righteousness which breaks through the vicious circles of hate and vengeance and which from the lost victims and executioners creates a new mankind with a new humanity.' The Acts 9 Damascus Road encounter is the focus of this chapter. 

643 This is the perspective of Seyoon Kim, "2 Corinthians 5:11-21 and the Origin of Paul's Concept of Reconciliation," in Paul and the New Perspective: Second Thoughts on the Origin of Paul's Gospel (Grand Rapids: Eerdmans, 2002). 

644 Dunn, Beginning from Jerusalem, 826 considers 'God raised him from the dead' is probably the 'earliest distinctively Christian affirmation and confession. It is presupposed again and again in the earliest Christian writings (Rom 4.24-25; 7.4; 8.11; 1 Cor 6.14; 15.4, 12, 20; 2 Cor 4.14; Gal. 1.1; Col 2.12; 1 Thess: 1.10; Eph 1.20; 2 Tim 2.8; Heb 13.20; 1 Pet 1.21; Acts 3.15; 4.10; 5.30; 10.40; 13.30, 37). It was the faith to which Paul was converted, probably within two to three years of Jesus' death (1 Cor 15.3-8). '

have been major issues in twentieth century investigation of the resurrection. Much of this material has been gathered together in Luke-Acts, which appears to have been written largely independently of Paul’s letters although there is a remarkable level of consistency with Paul’s own testimony. Lorenzen’s four interpretative models (traditional, liberal, evangelical and liberation) and their corresponding emphases: traditional (fact and reason), liberal (word and faith), evangelical (fact and faith) and liberation (promise and praxis) illustrate the major theological approaches to Jesus’ resurrection. My own focus will be on the details of the encounter between the apostle Paul and the risen Jesus on the Damascus road,

647 C F D Moule, "The Resurrection of Jesus," in Christ Alive and at Large: The Unpublished Writings of C.F.D. Moule (eds. Morgan and Moule; Louisville: Westminster John Knox, 2010), 163 notes the equal importance of the numerous Lucan references to the appearance of the risen Jesus and Paul’s eyewitness testimony. A growing consensus among scholars has rejected the suspicion that Acts is historically unreliable, even among the scholars with traditional (e.g. Barnett), new (e.g. Dunn) and ‘beyond old and new’ (e.g. Campbell) perspectives about the meaning of Saul’s Damascus encounter. For the most recent and extensive discussion see Dunn, Jesus Remembered, 64-127 where he concludes on p. 127 that ‘we have also seen that the Acts of the Apostles is likely to provide more reliable historical data than the previously dominant theology-and-therefore-not-history school of New Testament scholarship has been willing to recognise. Even the speeches which Luke has put in the mouths of his characters have given strong evidence of pre-Lucan and probably primitive detail. And we are not dependent on Luke's Acts alone. For it is not hard to push beneath the surface of Paul's letters to uncover references and allusions to a wide range of material which he inherited and which attests facets of Christianity's earliest history partly confirmed and partly contested by Luke.’ New Testament historian Barnett, Paul, Missionary of Jesus, 209 agrees that ‘Paul dominates the book of Acts … the author of Acts sends a clear signal that he knew Paul and was his fellow missionary and travel companion for extended periods. Luke does this by changing from the third-person narrative (‘they,’ ‘them’) to the first person (‘we,’ ‘us’) in various passages. The so-called ‘we’ passages indicate that Luke traveled with Paul from Troas to Philippi in about 49 (Acts 16:10-16); from Philippi to Jerusalem circa 57 (20:9-21:37); and from Caesarea to Rome circa 59-62 (27:1-28:14). We reasonably assume that Luke remained in contact with Paul during his imprisonments in Caesarea and Rome, a period of about five years total.’ This confirms Dunn’s conclusion and illustrates the extent of scholarly consensus by concluding ‘the implications of this Luke-Paul nexus for historical analysis are considerable. It means, first, that Luke's narrative about Paul must be regarded as reliable; Paul was Luke's direct (oral) source. Paul's letters and title book of Acts form the basis for establishing a chronological sequence for Paul's mission.’ Wenham, "The Paulinism of Acts Again: Two Historical Clues in 1 Thessalonians," 53-55 finds support for their coherence in the text of 1 Thessalonians. Likewise Dunn, Jesus Remembered, 145-148 also examines the ‘possible discrepancies between Acts and the Pauline data concerning Paul’s conversion’ and concludes that while ‘Acts does contain blemishes … but beyond these difficulties … the correlations are more impressive than the divergences.’
combining the emphasis on Jesus’ resurrection as evangelical fact and the praxis of God’s restoring justice.648


The credibility of the Lucan accounts has been challenged because of alleged internal inconsistencies.650 Dunn has argued, however, that Lucan ‘awkwardness’ is a distinctive contribution to the gospel tradition because it reflects ‘signs of [an] older tradition retold by Luke’. He reasserts the importance of Luke’s accounts of the risen Jesus because

Luke came across the Emmaus story in his search for eyewitness testimony (Luke 1.2) Why otherwise would he attribute the first fully narrated appearance of the risen Jesus to two otherwise unknown and relatively obscure disciples, only one of whom is named (Cleopas)? The story cuts across the priority otherwise given to the appearances to Peter (despite 24:34) and to the twelve. So probably Luke took up the basic

In terms of Lorenzen, Resurrection and Discipleship, 11-106 and his schema, the primary focus on the resurrection appearance to Paul will be a combination of the evangelical and liberation interpretative models.

649 A concise analysis is provided by David Catchpole, Resurrection People: Studies in the Resurrection Narratives of the Gospels (London: Darton, Longman & Todd, 2000), 86 who explains that ‘in Luke 24 the evangelist constructs a sort of triptych: three scenes involving events at the tomb in the morning (vv. 1-12), on the Emmaus road in the late afternoon (vv. 13-35), and in Jerusalem in the evening (vv. 36-53). The third of those scenes is itself another, a minor, triptych: the proving of Jesus’ identity (vv. 36-43), the commissioning of the witnesses (vv. 44-9), and finally the ascension of Jesus (vv. 50-3)’. In one respect the three scenes in the major triptych are no different from one another: they each and all centre on the divine design which lays down suffering and death as the necessary route to resurrection and glory (vv. 6-7, 25-7, 44-6). Yet, quite unmistakably, there is development and progression as the drama moves from scene to scene and the plot rolls forward to its denouement in the commissioning episode.’ Particularly relevant through revealing the narrative setting of Emmaus as transition in Luke-Acts is Octavian D. Baban, On the Road Encounters in Luke-Acts: Hellenistic Mimesis and Luke’s Theology of the Way (Milton Keynes: Paternoster, 2006), 202 who shows that ‘for such reasons, the Emmaus story has often been described as ‘a gem of the narrative art’ (Schubert, ‘Structure’). It functions as a meeting point of several literary and theological motifs of Luke, such as journey, fulfillment of prophecy, recognition and hospitality. At the same time, it serves as an introduction to the sequence of Jesus’ appearances (to the two disciples, to Simon - v. 34, to the Eleven - vv. 36-49, at the Ascension), and for Luke’s motif of proof-from-prophecy, and lays the foundation for the later qualifications for apostolic ministry.’

650 For example Luke chapter 24 contains all the resurrection appearances in one day whereas Acts chapter 1 spreads them over forty days.
tradition simply because it was there, however awkwardly it fitted in with the overall schema.\(^{651}\)

While Easter morning narratives of the empty tomb of Jesus are highly significant texts, they will not be considered in any detail here.\(^{652}\) This chapter will examine the detail of one narrative of a particular resurrection appearance (Acts 9) that is re-told twice (Acts 22 and 26) and which displays an ‘impressive degree of correspondence - that is, everything from the letters is also attested by Acts’.\(^{653}\) Before I examine these encounters with the risen Jesus however, I will introduce the social and future dimensions of reconciliation through the work of Miroslav Volf.

**Miroslav Volf and restorative justice**

I have already referred to the relevance of Volf’s theology for restorative justice thinking in my introductory definition of justice, forgiveness (chapter 3 which included Volf’s interpretation of Luke 15 as reconciliation) and remembering (chapters 4 and 5).\(^{654}\) Here I identify and assess three aspects

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651 Dunn, *Jesus Remembered*, 849.

652 Wolfhart Pannenberg, "History and the Reality of the Resurrection," in *Resurrection Reconsidered* (ed. G. D'Costa; Oxford: Oneworld, 1996.), 69 who expresses this order of evidence well, ‘the empty tomb never provided the decisive evidence of Jesus’ resurrection. But without the empty tomb, the Christian proclamation of Jesus resurrection at Jerusalem of all places would have been in serious trouble, because it could have been easily falsified by just pointing to the place where Jesus had been buried.’ Lorenzen, *Resurrection, Discipleship, Justice*, 47, 53-59 who observes that ‘relationships with the risen Jesus are primarily expressed through the Holy Spirit in the body of Christ.’ The role of the Holy Spirit is discussed in the next chapter. Although it is relevant to this chapter, a detailed discussion of the role of the body of Christ is deferred to chapter 10. Lorenzen notes that there were no ‘neutral observers to the resurrection appearances’ and contends that the resurrection of Jesus was predominantly a relational event, echoing Bonhoeffer’s language that it was ‘an event for others’. He says it gives expression to the fact that God is love. To share the reality of love which God has established by raising Jesus from the dead, belongs to the very nature of the resurrection.’

653 Campbell, *The Deliverance of God*, 137-143 after assessing the relevant passages of Paul’s conversion ‘in his own terms’ also decides to focus on the Lucan passages in Acts because ‘further attacks on the accuracy of Acts account from this point are in my view indecisive, and now largely irrelevant.’

654 Volf, *Exclusion and Embrace*. I am not persuaded by John Webster, "The Ethics of Reconciliation," in *The Theology of Reconciliation* (ed. Gunton; Edinburgh: T & T Clark,
of Volf’s theology of reconciliation with potential to inform the work of restorative justice. First, his understanding of God’s *self-donating* reconciliation through the cross is consistent with Luther’s *theologia crucis* and reminiscent of Bonhoeffer’s Christology. Second, Volf’s vision of *final* reconciliation engages eschatological considerations that arguably have been neglected in the contributions of Zehr, Myers and Enns and which are under-developed in the work of Marshall.655 Third, Volf’s unique emphasis on *social* reconciliation is his most important contribution for the way it emerges out of Saul’s encounter with the risen Jesus on the Damascus road (Acts 9). My own interpretation of that encounter as a model of restorative justice builds upon Volf’s notion of social reconciliation.656 Considering his Trinitarian framework, it is not surprising that the Spirit is more prominent in his theology than the risen Jesus – who is depicted as ‘the final judge [and] is none other than Christ the merciful saviour’.657 I do not think,
however, that this theological distinction detracts in any way from Volf’s value as a dialogue partner here.\textsuperscript{658}

Self-donating reconciliation through Jesus’ death

Volf interprets Jesus’ death on the cross as God’s \textit{self-donating} embrace for God’s enemies. Jesus’ death is not just \textit{by} his enemies (as Yoder concluded) but is \textit{for} his enemies as well. Volf writes that ‘at the heart of the cross is Christ's stance of not letting the other remain an enemy and of creating space in himself for the offender to come in (Roms 5:10) … the arms of the crucified are open – a sign of space in God's self and an invitation for the enemy to come in’.\textsuperscript{659} This is noteworthy because, as Volf goes on to argue,

> When God sets out to embrace the enemy, the result is the cross. On the cross the dancing circle of self-giving and mutually indwelling divine persons opens up for the enemy; in the agony of the passion the movement stops for a brief moment and a fissure appears so that sinful humanity can join in (see John 17:21). We, the others, we the enemies, are embraced by the divine persons who love us with the same love with which they love each other and therefore make space for us within their own eternal embrace.\textsuperscript{660}

Volf’s concern is not merely to explore reconciliation through Christology. He wants to imagine reconciliation in terms of eschatology or what he calls a ‘final vision of reconciliation’.\textsuperscript{661}

\textsuperscript{658} In chapter 7, I will demonstrate the clear continuity between the risen Jesus and the Spirit in Luke-Acts and the theology of Eduard Schweizer.
\textsuperscript{659} Volf, \textit{Exclusion and Embrace}, 126.
\textsuperscript{660} Volf, \textit{Exclusion and Embrace}, 129.
\textsuperscript{661} Volf, \textit{Exclusion and Embrace}, 109-110.
Volf’s final reconciliation

Volf’s vision of ‘final reconciliation’ is expressed in his oft-used phrase that ‘enemies will have to become friends’ (revising Abraham Lincoln’s aphorism that ‘I destroy my enemy when I make him my friend’) because, if the world to come is to be a world of love, then the eschatological transition from the present world to that world, which God will accomplish, must have an inter-human side; the work of the Spirit in the consummation included not only the resurrection of the dead and the last judgment but also the final social reconciliation.

His description of an ‘eschatological transformatio mundi’ (transformation of the world) is more biblical and attractive than notions of mere annihilation because in ‘the eschaton, the resurrected people of God will inhabit the renewed earth’. In fact, this notion is essential because ‘for Christian faith to give up the hope for final reconciliation – for a reconciliation that can neither be surpassed nor undone – would mean to give itself up.’ A vision of final reconciliation precludes abandoning the pursuit of reconciliation and justice. But it should prompt theology to ‘ask the right kind of question, which is not how to achieve the final reconciliation, but what resources we need to live in peace in the absence of the final reconciliation … non-final reconciliation in the midst of struggle against oppression is what a responsible theology must be designed to

664 Volf, Exclusion and Embrace, 110.
facilitate’. 665 Here Volf approximates the notion of making amends as post-reconciliation justice. It is this idea that I want to develop in this chapter.

The ‘struggle’ identified by Volf is embodying reconciliation through absorbing its costs, embracing the enemy and repairing the harm of wrongdoing. These embodied practices point towards some very constructive possibilities. I am especially attracted to his conception of social reconciliation which results from ‘having been embraced by God, we must make space for others in ourselves and invite them in – even our enemies.’ 666

Volf’s social reconciliation

Social reconciliation is the embrace of the enemy as ‘the self shaped by the cross of Christ and the life of the triune God. This embrace includes not just the other who is a friend but also the other who is the enemy.’ 667 For Volf, the concept is most fully articulated in Saul’s encounter with the risen Jesus on the road to Damascus. To appreciate his distinctive contribution, Volf’s study must be understood in relation to the wider scholarly debate over the precise significance of the encounter and its impact on Paul’s theology and mission. 668 Prior to Volf, two particular interpretations have dominated. 669

665 Volf, Exclusion and Embrace, 109-110.
666 Volf, Exclusion and Embrace, 129.
667 Volf, Exclusion and Embrace, 146.
669 None of the views presented are ‘mutually exclusive,’ but differ in what functions as the ‘theological centre’ of the Damascus encounter, and therefore the centre of Paul’s theology. A primary burden for this thesis is the necessity of a holistic Christology where neither
The traditional view, represented by New Testament scholars Martin Hengel, FF Bruce and Hans Conzelmann, relies more heavily on the narrative within Acts 9, interpreting this event as Paul’s ‘conversion’ and the basis of his view of ‘justification’. The more recent view highlights either the ‘calling’ of Paul in the versions in Acts 22 and 26, giving birth to Paul’s ‘mission to the Gentiles’ (JDG Dunn, Ernst Haenchen) or the ‘revelation’ that compelled a new belief that ‘Jesus was the Messiah’ (NT Wright) who are usually gathered together under the ‘New Perspective’ label.

Douglas Campbell represents a growing consensus that does not consider conversion and calling to be mutually exclusive. Beyond this debate and the more recent mediating positions is Volf’s interpretation.


672 Campbell, The Deliverance of God, 165 whose recent investigation of social scientific portraits of conversion suggests that ‘a more communal, networked, and relational process is usually detectable, mediating key theological truths and disclosures. And this prompts a reconsideration of Stendahl’s classic criticisms. Is it still necessary to insist that Paul's revelation of Christ near Damascus was a ‘call’ and not a ‘conversion’? I suggest that everything now depends on what we bring to the signifier ‘conversion.’
which focuses on reconciliation, including both its vertical and horizontal dimensions. This approach draws mainly on the earlier line of inquiry by CK Barrett, IH Marshall and Ralph Martin. It is advocated vigorously advocated by New Testament scholar Seyoon Kim.673 My view of ‘God’s restorative justice’ resembles this proposal of reconciliation at several key points but differs from it in several important respects.674 I want to show that depicting the Damascus encounter as God’s restorative justice offers a better approach to understanding what took place between Jesus and Paul because it reflects the integrity of Jesus’ life, death and resurrection and preserves the essential link between justice and reconciliation.675

Volf admits that his interest is ‘theology rather than history at this point,’ and that ‘finding these features in Luke's story is all the more significant’.676 He understands Saul’s reconciling encounter as one in which justice is both affirmed and transcended observing that

the divine voice named the action by its proper name—
‘persecution’ (Acts 9:4). Disapproval of the action was


674 The theological centre of the Damascus event also determines the best interpretation of Paul’s δικαιοσύνη language.

675 Dunn, Beginning from Jerusalem, 50 recognises the historical significance of Damascus for ‘the whole course of earliest Christianity … for Paul stands at, indeed in himself constitutes, that critical juncture - Paul, the Jew becomes believer in Jesus Messiah, the Pharisaic zealot become apostle to the Gentiles.’

676 Volf, "The Social Meaning of Reconciliation,” 165.
powerfully conveyed—Paul ‘fell to the ground’ (v. 4). And the exalted Christ asked the uncomfortable question ‘Why? Saul, Saul, why do you persecute me?’ (v. 4). Jesus Christ named the injustice and resisted the behavior. Significantly, however, he did so in the very act of offering reconciliation.\footnote{Volf, "The Social Meaning of Reconciliation," 166.}

According to Volf – and this is where he differs from others – the singular moment when justice is restored takes place in the very act of offering forgiveness. It is the moment when the wrongdoer’s ‘destructiveness is absorbed and not transmitted … [which] transcends the world of oppressor-oppressed relations to create a new humanity, capable of other kinds of relation – between human beings, and between humanity and the Father.’\footnote{Williams, Resurrection, 9.}

On the Damascus road Saul encounters the risen Jesus who names his wrongdoing but then forgives rather than condemns. For Volf, the risen Jesus’ naming of Saul’s wrongdoing is precisely the moment that forgiveness is enacted.

The moment of reconciliation is salvific for those living under the shadow of death who are brought into the resurrection light of Christ. Lucan scholar Beverly Gaventa posits three categories of personal change in the movement from darkness to light: alternation, conversion and transformation.\footnote{Beverly Roberts Gaventa, From Darkness to Light: Aspects of Conversion in the New Testament (Minneapolis: Fortress Press, 1986), 12 distinguishes between ‘alternation is a relatively limited form of change that develops from one’s previous behavior; conversion is a radical change in which past affiliations are rejected for some new commitment and identity; transformation is also radical change, but one in which an altered perception reinterprets both present and past.’}

As noted earlier, the traditional interpretation of the Damascus event understands it to be Paul’s conversion.\footnote{See earlier reference where O’Brien, "Was Paul Converted?," 362-374 deems ‘conversion’ to be the most appropriate category because he believes it involves a more radical change than transformation. This is an odd argument to make that seemingly defies common usage where conversion might precede transformation but does not surpass it.} From a theological standpoint, the account of Saul’s wrongdoing must go beyond
this fact to include his radical re-orientation towards those he was formerly persecuting. Volf employs Gaventa’s third category of personal change, by finding

Paul's transformation was not the result of the pursuit of strict justice on the part of the ‘victim’—the exalted Christ in self-identification with the church. Had the ‘victim’ pursued strict justice, Paul never would have become the apostle of the very church he had been persecuting. 681

It is here that Dunn’s analysis of Saul’s calling as an apostle to the Gentiles is most appealing. 682 Through his apostolic call, described in 2 Corinthians 5 as τὴν διακονίαν τῆς καταλλαγῆς (‘the ministry of reconciliation’), Paul is able to mend the relationships his persecution had harmed and effectively severed. The obligation to make amends emerges from God’s gift of reconciliation. It is a deep and radical commitment to the demands of God’s restorative justice. This notion of post-reconciliation justice is an undervalued aspect of the Damascus story that I will develop in the next section.

681 Volf argues that Saul’s probable expectation of such an encounter would mean receiving a ‘strict’ justice, by which he means a vengeful, punishing justice. See further Barnett, Paul, Missionary of Jesus, 57-70. Volf, "The Social Meaning of Reconciliation," 161 note 112 adds ‘more recently W. C. Placher has summed up the public significance of substitutionary atonement in the following way: ‘The conviction that in Christ guilt has come to an end ought to be at the heart of any authentic Christian politics’ (“Christ Takes Our Place: Rethinking Atonement,” Int 55 [1999] 5-20, 15). Much is right with Placher’s overall argument. I would want to make sure, however, that the ‘coming to an end of guilt’ does not exclude the culpability entailed in not accepting oneself as deserving forgiveness and in not wanting to mend one’s ways. The larger issue that lies behind my concern is the belief that reconciliation is not a unidirectional act but a process that involves all mutually estranged parties (though it does not necessarily involve them in the same way!). Reconciliation with God cannot take place, so to speak, above human beings; it is a way of bringing human beings into communion with God and one another. Hence Paul both makes a claim (“God ... reconciled us to himself through Christ”) and issues a call (“be reconciled to God”) in 2 Cor 5:18, 20.’ [emphasis added]

682 Dunn, The Theology of Paul the Apostle, 353 notes ‘whatever precisely Paul experienced on the Damascus road, it convinced him he had been wrong so to persecute ... he must do what those he had wrongly persecuted had been doing; he must take up the banner which he had tried to tear from the hands of those fellow Jews; he must press through the door which he had attempted so violently to close.’
I now turn to Volf’s proposal to consider Saul's encounter with the risen Jesus on the road to Damascus from the perspective of restorative justice. Whereas Volf finds, ‘a striking fit between the key elements of Saul's notion of reconciliation and the key features of the narrative of his encounter with the risen Jesus’, my particular interest is in the dynamics of Saul’s encounter with the risen Jesus that simultaneously affirms justice and restores relationships.\(^\text{683}\)

**Saul’s encounter with the risen Jesus (Acts 9, 22 and 26)**

Only a few passages in the New Testament deal explicitly with the relationship between Jesus and Paul.\(^\text{684}\) Yet the relationship between them is critical to developing New Testament theology.\(^\text{685}\) Consequently, a

\(^{683}\) I will adopt a similar approach to Volf, “The Social Meaning of Reconciliation,” 165.

\(^{684}\) Seyoon Kim, "Jesus, Sayings Of," in Dictionary of Paul and His Letters (eds. Hawthorne, et al.; Downers Grove: IVP, 1993), 487-490 offers the reasons for the paucity and allusive character of Paul’s references to the Jesus tradition, including 1. Jesus’ gospel of the Kingdom of God has to be replaced with the apostolic preaching of Christ’s death and resurrection; 2. general phenomena in the New Testament (where only the gospels recount the Jesus tradition); 3. Paul argues for the truth of the gospel based on the Christ-event, not on Jesus’ teaching; 4. Contextual issues for Paul with Gentile audience; and, 5. Paul re-presented, not presented Jesus’ teaching for the post-Easter situation.

\(^{685}\) Dunn, Beginning from Jerusalem, 28 summarises the main questions regarding the relationship between them, ‘What is the significance of the relative disappearance or demotion within earliest Christianity of the theme so central to Jesus' message, that is, his proclamation of the kingdom of God? To what extent (if at all!) did Jesus' own message influence the Pauline gospel and continue to be part of early Christian teaching? How and why did the transition from Jesus the proclaimer to Jesus the proclaimed come about? Did Easter primarily confirm and supplement what was remembered as a growing conviction of Jesus himself regarding his own role, or did it break upon a barely formed faith with the force of revelation, shifting perceptions of Jesus to an entirely different plane? Did the developments in Christology proceed so apace as to cast the significance of Jesus of Nazareth into deeply increasing shadow from the beginning?’ but is somewhat gloomy about the progress made ‘in sum, the debate on continuity and discontinuity between the pre-Easter Jesus and the post-Easter Christ, between the message of the former and the gospel about the latter, shifts back and forward without much progress.’ Others are concerned by Paul’s apparent lack of regard for the ‘Jesus tradition’. A more optimistic analysis is offered by David Wenham, Paul: Follower of Jesus or Founder of Christianity? (Grand Rapids: Eerdmans, 1995). Pertinent summaries of the issues can be found in Kim, "Jesus, Sayings Of," 487-490. Since the Reformation, several schools of thought on the relationship between Jesus and Paul’s theology have been thought persuasive by one generation only to be significantly revised or dismissed by the succeeding generation. They include the ‘Christ-mysticism’ of Religiongeschichte, the anthropological emphasis of
considerable burden of scholarly attention has focused on the only place
where they met ‘personally’ – the dramatic encounter on the Damascus
Road. This event is recorded three times in Acts and is mentioned by Paul,
notably in Galatians 1 and 1 Corinthians 15:1-11.686

What did Saul experience in his meeting with the risen
Jesus? Saul realised that Jesus was not only the ‘content’ but also the
‘agent’ of this encounter.687 Incorporating both aspects invites a relational
interpretation although, it must be stressed, I am not seeking a psychological
analysis of Paul’s mind or his ‘interior’ state688 but elucidating the change

Bultmann, the revisions to Bultmann made by Kläsemann, and the apocalyptic ‘triumph of
God’ by Jürgen Becker.

686 Material for this chapter was compiled from notes taken in Kim’s lectures at Fuller
Theological Seminary in 1996-98 which has since been published as Seyoon Kim, “God
Reconciled His Enemy to Himself: The Origin of Paul's Concept of Reconciliation," in The
Road from Damascus: The Impact of Paul's Conversion on His Life, Thought, and Ministry
(ed. Longenecker; Grand Rapids: Eerdmans 1997); "2 Corinthians 5:11-21 and the Origin
of Paul's Concept of Reconciliation " Novum Testamentum: An International Quarterly for
New Testament and Related Studies XXXIX (1997): 360-384. See also similar arguments
in O'Brien, "Was Paul Converted?." Further detailed analysis occurs across the collection of
essays in Richard N. Longenecker ed. The Road from Damascus: The Impact of Paul's
Conversion on His Life, Thought, and Ministry (Grand Rapids: Eerdmans, 1997). More
recently Baban, On the Road, 209 highlights the narrative features which point towards
Acts 9 as the primary Lucan version (which I will focus in this chapter) ‘the way time and
space frameworks are built can vary even in relation to one and the same story. For
example, in the first account of Saul's encounter, the story is presented according to a three
day long time span, and three places are mentioned as important: Jerusalem, the road, and
Damascus (Acts 9). Later in Acts 22, Luke mentions only the road and the Temple, as
settings, and a single time reference, the encounter at noon. Finally, Acts 26 mentions only
a single time reference, at noon, and one spatial location, 'on the road'. Characters can be
portrayed differently, as well. For example, narrative concerns make Ananias to gradually
disappear from the scene, in Acts 9, 22 and 26.’ Paul W. Barnett, "The Corinthian Riddle:
Why the Church Rejected Its Founder," (Unpublished seminar paper at Sydney: Moore
Theological College, 17 February 2009), 2 who has observed that ‘within Paul’s letters
(excluding the Pastoralis) there are thirty or so references to Paul’s changed life following
the Damascus Event’. For more detailed argument see Barnett, Paul, Missionary of Jesus,
57-70. See also 1 Cor 9:1. An allusion to Paul’s encounter with the risen Jesus can be found
in 2 Cor 4:6. Phil 3:4-16 also uses the striking metaphor of καταλαμβάνο (‘being owned,
grasped, taken hold of’) whose origin would appear to be for Paul on the road to Damascus.

687 Richard N. Longenecker, "Realized Hope, New Commitment, and Developed
Proclamation," in The Road from Damascus: The Impact of Paul's Conversion on His Life,

688 E.g. Krister Stendahl, "The Apostle Paul and the Introspective Conscience of the West,"
Harvard Theological Review 56 (1963): 56 displayed a contemporary fascination with the
apostle’s unspoken thoughts and feelings (subconscious or otherwise). Nor does it serve my
purpose to explore the cultural factor bearing on the actors such as shame, honour (affect,
empathy etc.) in this instance.
from enmity to reconciliation and the movement from a relationship violated by some wrong to one restored to its proper condition, where new and unimagined possibilities emerge.\footnote{Barnett, \textit{Paul, Missionary of Jesus}, 72 observes these features, but is content with the traditional language of conversion, ‘relationally, at Damascus Paul “saw the Lord” (1 Cor 9:1; cf. 15:8) and became a man “in Christ” who “received mercy” (in respect to his persecutions - 2 Cor 4:1), to whom “faith came” / “was revealed” by which he was “justified” and became a ‘son of God’ (Gal 3:23-26). As a result he now “knew Christ” not as he had known him before … Paul's radical relational change to Christ and the accompanying reorientation of his values, we may refer to Paul as “converted?”’ As previously noted Gaventa, \textit{From Darkness to Light}, 12 offers two additional ways of interpreting the movement from darkness to light, according to the New Testament: ‘alternation’ (a relatively limited form of change that develops from one's previous behavior) and ‘transformation’ (a radical change in which an altered perception reinterprets both present and past). I am not persuaded by O'Brien, "Was Paul Converted?,” 362 and his descending order of importance: conversion, transformation, alternation and call who appears to be more concerned with rebuffing his opponents in the ‘New Perspective’ than his usually careful attention to the biblical witness would usually allow.}

\footnote{As I argued in chapter 2, a dominant outlook within the restorative justice movement is the therapeutic process which has limits for the theory and practice of Restorative justice. See also Geoff Broughton, "Restorative Justice: Opportunities for Christian Engagement," \textit{International Journal of Public Theology} 3 (2009): 299-318.}

\footnote{While there is an overlap between the key motifs of justice (justification) and reconciliation (restored relationships), what I am attempting here is more than a synthesis of the existing views. There are parallels with the analysis of Galatians by Günther Bornkamm, "The Revelation of Christ to Paul on the Damascus Road and Paul's Doctrine of Justification and Reconciliation: A Study in Galatians 1," in \textit{Reconciliation and Hope: New Testament Essays on Atonement and Eschatology Presented to L L Morris on His 60th Birthday} (ed. Banks; Grand Rapids: Eerdmans, 1975), 90-103 rightly warns against opposing errors here: either ‘overload Paul's autobiographical statements with psychological reflexions or to underestimate the theological motifs which they contain and not to make them sufficiently visible.’}

\footnote{Although a matter of considerable debate in biblical scholarship and still challenged by adherents of the historical-critical approach, Paul W. Barnett, \textit{The Birth of Christianity: The First Twenty Years} (Grand Rapids: Eerdmans, 2005), 190-193 is correct in identifying the ‘we’ passages in Acts as pointing to Luke's companionship with Paul for the years ca. 57-62, providing access to Paul's earlier career. C K Barrett, \textit{A Critical and Exegetical Commentary on the Acts of the Apostles} (Edinburgh: T&T Clark, 1994), 439-445 has shown that the three accounts in Acts have much in common, and for 9:1-8 which is being considered here, they are virtually identical. More significantly, Barrett interprets the Acts 9 version as ‘supplying the basic facts in as striking a manner as possible.’ Further support for approach is Martin Hengel and Anna Maria Schwemer, \textit{Paul between Damascus and Antioch: The Unknown Years} (London: SCM, 1997), 31-33 who argues that at least the kernel of the Damascus vision as reported in Acts goes ‘back to Paul's own account of it.’}
Encountering the risen Jesus as a restorative justice process

Howard Zehr defines restorative justice in terms of needs and roles where crime is a violation of people and of relationships. Wrongdoing creates necessary obligations. Justice involves victims, wrongdoers and community members in a concerted effort to put things right.\(^693\) I am here adopting a modified version of Zehr’s definition as the ‘lens’ through which Saul’s encounter with the risen Jesus is analysed.

Wrongdoing: harm to individual people, communities and God

Who decides what constitutes wrongdoing and who determines that wrongdoing is actually wrong? Should the judgment be divested primarily in those with the power to decide between right and wrong or in those affected by wrongdoing? The answer distinguishes those for whom justice is concerned with ‘right order’ and those for whom justice is concerned with (recipient) ‘rights’.\(^694\) Both views are seeking to locate justice in its proper domain.\(^695\) Luke’s description of Saul’s actions leading to the Damascus encounter show the harm Saul was doing to individuals, households (both familial and ecclesial) and God could not be overlooked. His actions belong to those special cases where his violations were not illegal (he has letters from the governing religious authorities sanctioning his actions in a ‘right order’ sense) but they will be properly named as wrongdoing by Jesus. This is consistent with the larger biblical framework (beginning with Genesis 1-


\(^{694}\) See the introduction where these are discussed.

11) that human wrongdoing and its extent is revealed by the way it impacts personal, social, spiritual and ecological relationships.


The Lucan story begins with Saul acting in the name of God. Saul did not see himself as a wrongdoer but as a righteous man acting justly. Luke must demonstrate Saul’s wrongdoing is more than just acts of violation caused by ignorance. In Acts chapters 8 and 9 we are confronted with the injustices that are being perpetrated on the basis of a reputedly ‘just’ cause. This dramatic tension forms the background of the encounter with the risen Jesus. Who or what will convince this wrongdoer that his actions are wrong and his supposedly ‘holy’ campaign is actually unjust?

Luke sets the scene by establishing Saul’s presence at the stoning of Stephen (Acts 7:58). He witnessed first-hand the testimony of Stephen and συνενδοκῶν (‘approving’) his execution (8:1). The

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696 As an early disciple of Jesus, the deacon Stephen is described as one full of faith, the Holy Spirit, grace and power (Acts 6:5, 8) embodied in his deeds (6:8) and words (7:2ff). Luke implies that Stephen speaks with the Spirit of Jesus, when he records Stephen echoing the dying words of Jesus, Κύριε, μὴ στίγμης αὐτοῖς ταύτην την ἁμαρτίαν (‘Lord, do not hold this sin against them’, Acts 7:60). Imitating Jesus, Stephen prays that God would forgive his enemies – a prayer heard by Saul (8:1). See Barnett, Paul, Missionary of Jesus, 49 who strengthens the connections between Stephen and Saul by suggesting that, with the mention of Cilicia (6:9), ‘Luke most likely wants us to understand that Paul had been in that synagogue when Stephen preached, that he had instigated the accusers, and that he had brought news of these radical views to the temple authorities.’

697 Lying in the background is the question of why the opposition turned from a moderate ‘wait and see’ approach to violent persecution. Barnett, Paul, Missionary of Jesus, 48-50 interprets the ‘catalyst’ as the temple priests turning to Christianity: ‘in reality the catalyst, as stated by Luke, was as follows: ‘and the word of God increased; and the number of the disciples multiplied greatly in Jerusalem, and a great many of the priests were obedient to the faith’ (Acts 6:7). The catalyst was the influx of ‘a great many’ temple priests into the community of believers.’ Barnett’s suggestion overlooks existing tensions between the Hebrew and Greek divisions in the Jerusalem community which inspired a persecution of the Greek-speaking diaspora. This view is represented by Dunn, Beginning from Jerusalem, 277-278 who argues ‘in short, the most likely conclusion is that the initial persecution was in effect a radical sharpening of the tensions within the Greek-speaking diaspora community in Jerusalem already caused by Hellenist views regarding the Temple (6:9-11). That is, it was non-believing Hellenists who, in the light of the blasphemy being
broader context of what we know about Saul’s zeal for the law (cf. Gal 1:14; Phil. 3:6), suggests that he welcomes Stephen’s execution and believed it was right. Dunn suggests that Stephen’s speech was deemed to be essentially a Hellenist blasphemy against the Temple and that it was the catalyst for Saul’s persecution. Saul is not depicted here as either particularly violent or vengeful, nor is his persecution shown to be motivated by ecclesial politics or personal self-interest.\(^{698}\) His agreement with the stoning of Stephen prepares us, however, for his actions in Acts 8:2 and 9:1, where he wages adversarial justice in his campaign against the followers of the risen Jesus.\(^{699}\)

Luke introduces Saul’s actions with some highly evocative language (Acts 8:2ff).\(^{700}\) First, his action is described as ἐλυμωσίνετο (‘ravaging’) indicating more than of causing harm, injury or damage as proclaimed by Stephen and his followers, took the radical step of trying to suppress that blasphemy under the leadership of a zealous young Pharisee named Saul.’

\(^{698}\) Cf. Gal. 1:22 where Paul claims to be ‘unknown by sight to the churches of Judea.’ Is his action to be interpreted in the tradition of violent banditry and uprising of the ‘Zealots’? For a discussion of this view, see n.103 in Dunn, *Beginning from Jerusalem*, 341. Although Paul describes his persecution in Gal 1:13 as ὑπέρβολη (‘excessive, exceeding to an extraordinary degree’) which has been translated as ‘violently’ (ESV, NRSV), this rendering is not demanded by the text. Whatever the background reasons were, Saul’s hostility and enmity towards the first Christians is not in dispute.

\(^{699}\) The question of why Paul persecuted the church cannot be resolved here. Another recent proposal is that of Mark Nanos, "Paul and Judaism: Why Not Paul's Judaism?," in *Paul Unbound: Other Perspectives on Paul* (ed. Given; Peabody: Hendrickson, 2009), 30 who argues ‘since before the dramatic revelation of Christ in him and call to bring this message to the nations, he was the most vicious opponent of this policy, it is likely that this policy of including non-Jews as full members was a propositional truth for Christ based groups that predated his change of course. If so, what motivated Paul’s zeal was not a failure by Jewish members of the Christ groups to observe Torah per se. They were observing, for example, Sabbath and dietary customs, and circumcising their sons. At issue was a change of policy based on an alternative interpretation of Torah for defining the inclusion of non-Jews as full and equal members based on the claim that God has in Christ initiated the age to come kingdom with just such expectations for members of the rest of the nations to join alongside Israel in the worship of the One God.’

encoded in criminal law. The word λυμαίνω evokes a more personal sense of wrongdoing. It can even be used to describe the violation of a person’s body.\(^701\) In the context of Saul’s actions, the body that suffers λυμαίνω is the body of Christ — the fledgling Christian community (Σαύλος δὲ ἐλυμαίνετο τὴν ἐκκλησίαν, Acts 8:3). This community was established by, and now constitutes, the earthly expression of the risen body of Jesus.\(^702\) Saul’s wrongdoing ravages and violates individual people, the ἐκκλησία and God.\(^703\) Second, Luke notes that Saul’s wrongdoing was intentional, describing him as moving ‘house to house’ (8:3). His language reinforces the private dimension (entering home), the corporate dimension (men and women are dragged off) and the ecclesial dimension (the early church primarily met in houses). Third, Saul’s action is depicted as παραδίδου (‘committing, handing over’, 8:3)\(^704\) the disciples to prison (representing the

\(^{701}\) “λυμαίνω,” BDAG:604 is used ‘of gluttons who, by their intemperance, damage τὴν σάρκα αὐτῶν their bodies … (Epict. 3, 22, 87 τὸ σῶμα λυμαίνεται = he injures his body).’ There is still a hint of this meaning, though admittedly more ambiguous, in the English word ‘to ravage’.

\(^{702}\) Eduard Schweizer, “Σωµα Κλ,” TDNT VII:1024-1097. See further the theological implications in Eduard Schweizer, The Church as the Body of Christ (Richmond: John Knox Press, 1964). Schweizer serves as the dialogue partner in the next chapter on the Spirit and the Spirit’s work in restorative justice. This chapter serves as a bridge between the Christology in part II and the discussion of discipleship and community in the next part. Although the Spirit is not explicitly mentioned in the Damascus encounter, the Spirit’s work (the key of Schweizer’s theology) is implicit in these events.

\(^{703}\) The religious tensions which have re-emerged since the events of 11 September, 2001 between East and West (or, as some are now identifying, between North and South) may be changing the way in which ‘persecution’ is viewed. It is now being redefined as a more physical and corporate reality. Other minority groups and those living under oppression may well say, ‘it was ever thus’. By way of comparison with the first century Middle East N T Wright and John Dominic Crossan, “The Resurrection: Historical Event or Theological Explanation? A Dialogue,” in The Resurrection of Jesus: John Dominic Crossan and N.T. Wright in Dialogue (ed. Stewart; Minneapolis: Fortress Press, 2006), 25 describe ‘the martyrs at the time of the Maccabean revolt and persecution. Where is the justice of God when you’re looking at the tortured bodies of martyrs? Bodies of martyrs. All of that is already in the Jewish tradition … it’s in the Pharisaic subdivision of that.’

\(^{704}\) “παραδίδου,” BDAG:614-616 ‘hand over, turn over, give up a person … hand over into [the] custody [of] … hand someone over to someone to guard him … hand over to the local courts Mt 10:17; Mk 13:9 … hand someone over to the synagogues and prisons Lk 21:12 … put in prison Ac 8:3.’
proper, legal authority). According to his own testimony (Gal. 1:13), he was determined to ‘destroy’ the church. Why does Luke record that Saul bothered with letters from the high priest to the synagogues (Acts 9:2)? The request for proper authority is the means by which Saul assures himself that he is effectively upholding the letter of the law, the integrity of Israel and the Temple, and ultimately, the holiness of God. Saul sets out to Damascus with a zealous concern for law and righteousness (Phil. 3:5-7). But this zeal is transformed by his encounter with the risen Jesus. The final prayer of the first Christian martyr, Stephen, lingers over this story: ‘Lord, do not hold ταύτην τὴν ἀμαρτίαν against them’ (‘this sin’, Acts 7:60). What will cause Saul to re-interpret his persecution as τὴν ἀμαρτίαν, as wrongdoing?

705 I believe this affirms the orthodox way Saul enacts justice: handing those of ‘the Way’ over to the ones authorised to deliver justice. Compare παρίστημι in Acts 23:33 (παρίστησαν καὶ τὸν Παύλον αὐτῷ, ‘and they turned Paul over to him’). As is the case in English, Greek and a number of other languages, a clear distinction exists between the legitimate ‘handing over’ of an allegedly guilty person to a civil authority and the ‘betrayal’ of a person in the in-group to someone in the out-group. Luke’s usage here suggests the former (‘handing over’) and not the latter (‘betrayal’) and is therefore not interpreted as an allusion to Judas action in betraying Jesus, despite the allusion being common in a later tradition.

706 Saul’s position is confirmed by the expressions found in Phil 3:5-7; κατὰ νόμον Φαρισαῖος (concerning the Law, it sets him apart), κατὰ ζῆλος δικαιοσύνην τὴν ἐκκλησίαν (concerning zeal, for God and God’s covenant, e.g. Num 25:1-18), κατὰ δικαιοσύνην τὴν ἐν νόμῳ γενόμενος (concerning righteousness, blameless). Background use of the term zeal in the Old Testament can be found in Dunn, The Theology of Paul the Apostle, 350-354.

707 The testimony of Paul in Philippians 3 is interpreted by Dunn, Beginning from Jerusalem, 346 who regards the Hellenists as a threat to Israel’s separateness, ‘an explanation along these lines seems to me to make best sense of the fact that Paul ascribes his own violent persecution of ‘the church of God’ to this same ‘zeal’ (Phil 3.6). Paul’s persecuting zeal was not simply zeal to be the best that he could be (zeal for the law) but a grim determination to maintain Israel’s holiness by attacking – ‘seeking to destroy’ (Gal. 1.13, 23) – those Jews who (in his view) were beginning to breach Israel’s boundaries of set-apartness.’
The wrongdoer: remembering wrongdoing by taking responsibility

The following testimony, drawn from a person who remains in prison for their crimes, highlights the need for wrongdoers to take responsibility for their actions.

At the start of the legal process on my arrest, denying guilt was a practical necessity as I was facing trial and in our system of law and criminal justice it is for the Crown to prove its case and everyone is entitled to a defence as a matter of law and fairness … However, when I returned to the documents of the bombing-murder conviction in 1997 with the idea of a fresh evidence appeal, I found that a picture emerged that was not as rosy as the one that had grown in my mind in the ten years up to that point. Put simply I really did not like what I saw about myself in those documents … I knew that I had to move on from the person I was in the past and to do that I needed to act in a more responsible way and stop fighting the conviction, but it took sometime for me to admit that to myself, and even longer to admit it to others.708

This wrongdoer describes the change that took place as an ‘epiphany’.

Through this process the convicted man remembered his wrongdoing more truthfully and took responsibility for it. In contrast to a more adversarial approach that places the burden of proving guilt on the prosecution side, most restorative justice practices insist that wrongdoers take early responsibility for their actions. While the catalyst for the metanoia of wrongdoers continues to be rigorously debated, Saul’s metanoia was so profound that it produced an enduring aphorism: the ‘Damascus road experience’.

Luke’s story of Saul as wrongdoer

In Luke’s story there is no hint initially that Saul conceives his actions are wrong or could ever be perceived as such. Who or what will convince this wrongdoer to take responsibility for his actions? In effect, what makes Saul repentant? Luke records three moments in Saul’s encounter with the risen Jesus that shed light on how wrongdoers might take responsibility for their actions: the revelation of light, the voice of his victim and the question ‘why?’ The first impetus is ‘a light from heaven flashed around’ (9:3).

According to Hengel, ‘the vision of light which shines in Paul and radically changes his life is christological and consequently soteriological, and all further conclusions depend on it.’ This experience is consistent with an Old Testament theophany (or epiphany) that took two general forms: God appearing in the likeness of a human (see Dan. 7; Ez 1:26-7) or a human having the likeness of God (Gen. 18). The risen Jesus appeared to Saul as one like a son of God and having the έικόνα of God. Kim argues that Saul experienced a ‘Damascus Christophany’ revealing Jesus to be the

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709 Nor is he empathetically moved by the plight of the faithful and innocent ‘men or women’ (we can presume children as well) as he escorted them ‘bound’ to Jerusalem (9:2). Saul is convinced of the righteousness of his actions.

710 Hengel and Schwemer, Paul between Damascus and Antioch, 42. Lorenzen, Resurrection and Discipleship, 136 emphasises that the origin of the encounter is external to Paul’s psyche or imagination: ‘this radical reorientation of life, which resulted from a radically new understanding of God, could not have evolved in Paul's psyche. It originated in an event which happened to him, not merely in him.’

711 Seyoon Kim, The Origin of Paul's Gospel (Tübingen: JCB Mohr, 1981), 205-233 has a long standing dispute with the interpretation of Dunn, "A Light to the Gentiles?,” 89-107. More recently support for Kim’s version has been provided by Baban, On the Road, 215 who argues convincingly that Luke interpreted the appearance in this way: ‘Luke leads his readers, thus, to think of this appearance as of a special christophany not a vision. The lexical difference (ὄραμα vs. ὄπτασις) combined with the contrast between the day setting of the Damascus’ encounter and the night settings of the majority of the other visions (save Peter's threefold vision of a meal) emphasises the higher degree of ‘reality’ in this theophany.’ Barrett, A Critical and Exegetical Commentary on the Acts of the Apostles, 450 demonstrates this is consistent with a ‘classic theophany’. The earlier view of Conzelmann, The Theology of St Luke, 203 maintains that resurrection appearances were strictly confined to the forty days prior to Jesus’ ascension must be rejected.
personified ‘Wisdom of God’.  

Luke depicts the conversion scene as a movement from darkness to light.  

Saul sees the blinding light (9:3, 8; 22:6, 11 and 26:13) and immediately recognises its inherent authority by falling to the ground (9:4; 22:7 and 26:14). In fact, all Lucan versions of the Damascus event include an interpretation of the light as an appearance of the risen Jesus (9:17; 22:14 and 26:16).  

The moment of revelation is accompanied by the blinding light and the authorative voice, ‘I am Jesus, whom you are persecuting’ (9:4). The risen Jesus that speaks is the crucified God. In effect God-in-Christ is the victim. Saul hears the voice of his victim and recognises it as such. Moreover, the risen Jesus is head of the church, the earthly gathering of God’s people called his ‘body’, the same group that Saul had been ravaging ‘house-to-house’. Jesus’ resurrection highlights God’s solidarity with victims: Saul, too, hears the voice that speaks on behalf of the silent victim. Finally, the risen Jesus, who is vindicated, ascended and exalted as a heavenly reality, is the revelation of the divine vindication of the victim. Saul ultimately hears the voice of the transformed and exalted victim. Notably the words of the risen Jesus – ἐγώ εἰμι – are in the present tense. The words truthfully recall Saul’s past actions as δισχύμος (‘persecution’).  

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713 There is a possible echo of a familiar gospel pairing: physical blindness with spiritual insight (see Matt 23:16-26; Mk 10:46-51; and particularly Jn ch.9). Is something similar suggested here by the description of Saul as ‘his eyes were opened, he saw nothing’ (Acts 9:8)?  
714 Gaventa, *From Darkness to Light*, 1-2 suggests we note that as ‘one common metaphor, present outside the New Testament as well as within it, is that conversion involves a change from darkness to light’. In Acts 26:18 Paul explains to Agrippa that his own mission was to preach to the Gentiles, that they might ‘turn from darkness to light’. 1 Peter 2:9 recalls conversion as God’s call ‘out of darkness into the marvelous light’. Paul may have conversion in mind when he writes: ‘For it is the God who said, ‘Let light shine out of darkness’, who has shone in our hearts to give the light of the knowledge of the glory of God in the face of Christ’ (2 Cor 4:6). For all of these writers, conversion involves a movement so radical that only the image of darkness and light can capture it.'
The voice – as an ἄποκαλυψις – is an irruption of God’s future into the present.\textsuperscript{715} It is not surprising, then, that Saul does not resist the authority of this voice with the appropriate title of κύριε (Acts 9:5).\textsuperscript{716}

Third, this risen Jesus directly confronts Saul’s wrongdoing with the penetrating question, ‘why do you persecute me? (9:4) (cf. Acts 26:14 Jesus adds ‘it is hard for you to kick against the goads’).\textsuperscript{717} The quoting of this particular proverb confirms Jesus’ question as a direct challenge to examine the status of his own wrongdoing.\textsuperscript{718} The key elements (the light, the voice and the interrogatory question) are central to this second phase of Saul’s ‘restorative justice’ encounter with Jesus.

For Saul, God’s judgment and justice is made manifest in the risen Jesus. On the Damascus road God invites and summons Saul to reorient his life around the resurrected One. Sarah Coakley describes the experience as being ‘grasped by the living mystery of the other’ because recognition of the risen Jesus is precipitated by ‘some prior, interruptive undoing of epistemic blockage, some mending of the blindness of the

\textsuperscript{715} This is referred to by Johannes Baptist Metz, \textit{Faith in History and Society: Toward a Practical Fundamental Theology} (A New Translation)\textsuperscript{(trans. Ashley; New York: Herder & Herder, 2007)}, 117-118 as ‘anticipatory memory’. O'Donovan, \textit{Resurrection and Moral Order}, 100-101 notes ‘the restoration of created order is an event which lies in the past; its universal manifestation belongs to the future ... [because] we make the transition from ‘then’ to ‘now’, when the remembered past and the unthinkable future become realities which shape our present.’ The relationship of the risen Jesus within time is of special interest to Thomas F. Torrance, \textit{Space, Time and Resurrection} (Edinburgh: Handsel Press, 1976), 89 who agrees that the risen Jesus ‘even comes to meet us out of the future.’

\textsuperscript{716} Hengel and Schwemer, \textit{Paul between Damascus and Antioch}, 40 notes ‘the contrast between the audition and vision of Paul before Damascus and the realistic description of the bodily resurrection appearances in Luke 24 and Acts 1 is also striking ... This hearing of the word of the risen and exalted Jesus is decisive; mere seeing is not enough for the conversion of the persecutor.’

\textsuperscript{717} Ched Myers, "Response to Your Damascus Road Chapter," (email to the author dated, 2 December 2009). Myers noted that ‘this apparently was a popular proverb of the period that described actions considered futile and ruinous (it could almost be seen as an ancient corollary to the modern diagnosis of destructive addictive-compulsive behavior).’

\textsuperscript{718} Myers, "Response to Your Damascus Road Chapter.” Myers suggests that ‘such a psychological and political ‘unmasking’ may explain Paul’s later claim (Gal 1:18) to have spent three years of soul searching in Arabia and Damascus before visiting the apostolic church in Jerusalem.’
ravages of sin, in order that the person of Jesus might truly be identified.

The transformation of Saul’s life fits the pattern of Jesus’ resurrection. It animates the possibility of repentance (salvation, discipleship and mission) throughout the Lucan narrative.

The victim: holding the tension between naming and forgiving wrongdoing

Respect for the victim and their needs coupled with the crucial place of forgiveness are some of the more contentious issues in the theory and practice of contemporary restorative justice. Therapeutic analysis and tools have deepened our society’s capacity to name wrongdoing. They have also empowered victims to tell their story in order to be heard by wrongdoers and sympathisers. While the public naming of wrongdoing has regrettably fed the media and political obsession with shaming wrongdoers, the witness of theological traditions has persuaded some victims that forgiveness is a necessary step toward healing and reconciliation. Tragically, faith-based approaches can be misused to pressure victims into offering forgiveness prematurely or, perhaps worse, to forgive superficially. The tension between naming a wrong and forgiving a wrongdoer quite often surfaces in the process of a restorative justice conference. Throughout the process, the


Joel B. Green, "Witnesses of His Resurrection': Resurrection, Salvation, Discipleship, and Mission in the Acts of the Apostles," in Life in the Face of Death: The Resurrection Message of the New Testament (ed. Longenecker; Grand Rapids: Eerdmans, 1998), 244-245 who affirms that, 'Jesus' resurrection, as noted above, makes available repentance and the benefits of salvation. To this, however, may now be added that Jesus' resurrection - invites repentance; it summons people to reorient their lives toward the purpose of the God who raised Jesus from the dead. This summons constitutes the call to response that is enunciated in the early Christian mission. In Acts, the summons to repentance is grounded in Jesus’ resurrection in two ways. First, his resurrection pledges the advent of a future judgment of all people, which ought to provide the impetus necessary for repentance on their part. Second, his resurrection points emphatically and incontrovertibly to the fact that God's purpose has been made manifest in the ministry of Jesus and in the ministries of those who serve in his name.'
naming and forgiving must be part of a unitary entity. Luke demonstrates they belong together by identifying Jesus’ naming of Saul’s wrongdoing as the precise moment of forgiveness.

**Luke’s story of Jesus as victim**

The exact moment when God invades Saul’s ‘realm of wrong’, to borrow the evocative phrase of J Louis Martyn, in the person of the risen Jesus is shrouded in a strange and surprising silence. There are no words which speak of expiation (Rom 3:25), a sin offering (Rom 8:3; Heb 9:11-14, 28), a ransom (Mark 10:45; Rev 5:9), reconciliation (Rom 5:10f.; Col 1:22), representation (Rom 4:25, 5:6-8), redemption (Rom 3:24; Eph 1:7; Heb 9:15), justification (Rom 3:24), a blood sacrifice (Rom 3:25, 5:9; Eph 2:13; Heb 10:19; 1 Pet 1:2; 1 John 1:7; Rev 1:5; Acts 20:28), a covenant sacrifice (Mark 14:24, 1 Cor 11:25; Heb 9:17-21, 13:20), a Passover lamb (John 1:29, 36, 19:36; 1 Pet 1:19; Rev 5:6, 7:14, 12:11), cosmic reconciliation (Col 1:20), the destruction of the devil (Rev 2:14), or even forgiveness (Heb 9:22). Resurrection is the moment history changed. This change became apparent to Saul when Jesus revealed himself as risen from the dead. There was no language readily available to capture its truth or its significance. Structurally, there is little doubt that Luke saw the encounter as the centre of the Damascus Road story.

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721 Many different images and concepts are employed in later theological interpretation of the moment of encounter. See further Lorenzen, *Resurrection and Discipleship*, 245.

722 Subsequent reflection on Jesus’ teaching and deeds gradually come to understand that God-in-Jesus was all about death’s defeat. This is argued by Peter Bolt, *Jesus’ Defeat of Death: Persuading Mark’s Early Readers* (Cambridge: Cambridge University Press, 2003).

723 Baban, *On the Road*, 262 outlines the structure of ‘the story [which] has a reversal point in the encounter with the risen Christ, and a final restoration climax in the baptismal sacrament.’ Luke structures the encounter with vv. 1-2 journey set up: Paul's leaves Jerusalem with an agenda against the hodos people, v.3a journey setting: as a leader, accompanied by soldiers, vv. 4-6 the revelational dialogue / the miraculous blinding, vv. 7-
Luke provides the necessary clues for interpreting this decisive moment in the speeches in Acts. Using the juridical categories of victim and judge, Rowan Williams has observed how the apostles' appearance before the courts present the risen Jesus as the 'judge of his judges'.

This interpretation follows an earlier lead from Moule who argued that apostolic preaching in Acts stresses vindication rather than redemption. Saul is rendered speechless in the face of the risen Jesus who now exercises God's judgment. Luke shows that Jesus overturns Saul's mistaken judgment of the disciples he persecuted and of the crucified, risen One. How does Saul make sense of God's verdict in raising Jesus?

The motif of transformation can be employed to describe what happens on this occasion with respect to Jesus as Saul's victim. In the discussion of the effect of resurrection on transformation ethics, Johnstone

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8 journey setting: incapacitated, led by his companions, vv. 18-19a journey end: at Damascus; he regains sight, baptised; Ananias' hodos summary.

724 Williams, *Resurrection*, 3 observes 'the apostles stand in the name of Jesus before the court that condemned Jesus: to this court they must in turn pronounce the sentence of God, the sentence implied in the fact that the crucified and condemned is raised by God and vindicated. He returns as the judge of his judges ... at the simplest level ... [it is] a straightforward reversal of roles: the condemned and the court change places, the victim becomes the judge ... but the gospel of the resurrection goes on to a more profound and startling reversal. The exaltation of the condemned Jesus is presented by the disciples not as threat but as promise and hope ... and grace is released when the judges turn to their victim and recognise him as their hope and their saviour.'

725 See further Moule, "Christology of Acts," 159-185.

726 Daniel J. R. Kirk, *Unlocking Romans: Resurrection and the Justification of God* (Grand Rapids: Eerdmans, 2008), 1-13 has recently suggested that Paul's reflection on Jesus' resurrection is an overlooked but key ingredient in interpreting his letter to the Romans. He asks 'what about resurrection? Is that really a prevalent theme ... every major section of the letter; across all the 'breaks' in Paul's argument; at climactic moments in the letter's argument; at places where Paul is spelling out his purpose or summing up his message. Resurrection must be dealt with if we are to understand what Paul is trying to do in his letter to Rome ... here's a smattering (not an exhaustive list): Rom 1:17 ‘The Righteous One will live by faith’; 4:17 Abraham believes in ‘the God who gives life to the dead’; 4:25 Jesus was ‘raised because of our justification’; 5:10 ‘We will be saved by his life’; 6:4 ‘Christ was raised from the dead by the glory of the Father’; 7:4 ‘So that you might be joined to ... him who was raised’ ... 8:23 We await, ‘the redemption of our body’; 10:9 ‘... believe in your heart God raised him from the dead’; 11:15 ‘... what will their acceptance be but life from the dead?’; 13:11 ‘... it is already the hour to arise from sleep’; 14:9 ‘for this reason Christ died and began to live again’ and 15:12 ‘he who arises to rule over the gentiles ...'
notes that, 'in the encounter with the risen Jesus, as presented in the narratives, there is a recognition of the face, identifiable as the victim, but now transformed.'

He proceeds to describe ‘the victim [who] rises again, not in vengeful memory, but in action to create a world where others may live.’

In the Lucan narrative, it is the light that conveys this ‘range beyond death.’

When Luke mentions Saul’s encounter with the risen Jesus for the third time in Acts 26, Saul’s preaching concludes with a reference to Moses and the prophets, ‘saying nothing but what the prophets and Moses said would come to pass: that the Christ must suffer and that, by being the first to rise from the dead, he would proclaim light both to our people and to the Gentiles’ (26:22-23). Gaventa has noted how this reference to proclaiming a ‘light for the Gentile’ can be bracketed with Simeon at the beginning of Luke’s gospel (2:32) where Jesus’ birth is also said to be light for the Gentiles.

The appearance of the light from heaven is not only recorded in all three Lucan accounts of Saul’s encounter but in the many references to φῶς in Paul’s letters as well, indicating its importance. For

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731 φῶς ἐκ τοῦ οὐρανοῦ, 9:3; ἐκ τοῦ οὐρανοῦ περιστρέψαι φῶς, 22:6 and οὐρανοῦν... φῶς καὶ τοὺς σίν ἔμοι πορευομένους, 26:13. See also Rom 2:19 ‘a light to those who are in darkness’; Rom 13:12 ‘cast off the works of darkness and put on the armour of light’; 2 Cor 4:6 For God, who said, “Let light shine out of darkness,” has shone in our hearts to give the light of the knowledge of the glory of God in the face of Jesus Christ; 2 Cor 6:14 ‘what fellowship has light with darkness?’; 2 Cor 11:14 ‘even Satan disguises himself as an angel of light’; Eph 5:8 ‘for at one time you were darkness, but now you are light in the Lord. Walk as children of light’; Eph 5:13-14 But when anything is exposed by the light, it becomes visible, for anything that becomes visible is light. Therefore it says, “Awake, O sleeper, and arise from the dead, and Christ will shine
Paul, there is a close connection between light and salvation. This notion is found in the resurrection imagery of passing from death to life in Isaiah 9:2. Paul appropriates this image in his letter to the church at Ephesus (5:14) so that the source of the light that shines is none other than the risen Christ. Luke explains (and it is affirmed by Paul throughout his letters) that the moment Saul’s wrong was named and forgiven, the encounter was illuminated by the φῶς of the risen Jesus who is both saving victim and merciful judge. What kind of outcome can be expected by a victim who can save or a judge who is merciful?

Reconciliation between victim and wrongdoer

Reconciliation is a desirable outcome for restorative justice and may even embody the climax of a restorative justice conference – often symbolised in the ‘breaking of bread’ where food is shared informally between participants. Reconciliation is based on the wrongdoer remembering their wrongdoing truthfully by accepting responsibility for it. Reconciliation is also based on the testimony of the victim. There is respect for both the wrongdoer and the victim. For lasting reconciliation to be achieved the truth must be named with a desire to forgive. Such forgiveness invariably costs something for the victim. Wrongdoing must be named truthfully before it on you”;

Col 1:12 ‘to share in the inheritance of the saints in light’; lThess 5:5 For you are all children of light, children of the day. We are not of the night or of the darkness’ and lTim 6:16 ‘who dwells in unapproachable light’. This is reflected in renewed emphasis in recent New Testament scholarship on φῶς as the mission to the Gentiles to whom salvation is now extended. For example, see Dunn, "A Light to the Gentiles?.”

Is. 9:2 ‘The people that walked in darkness have seen a great light: they that dwelt in the land of the shadow of death, upon them hath the light shined.’

άνάστα ἐκ τῶν νεκρῶν, καὶ ἐπιφανεῖσαι σοι ὁ Χριστός Eph. 5:14.

can be forgiven. Such naming is usually costly for wrongdoers.

Reconciliation cannot be achieved, therefore, unless naming and forgiving are held together. But does the holding together of the naming and forgiving of wrongs offer a faithful interpretation of Saul’s encounter with the risen Jesus?

**Luke’s story of Saul’s reconciliation with the risen Jesus**

Jesus, whom Saul believed to be crucified, dead and *accursed* by God is the One he has encountered risen, proven alive and *vindicated* by God! The appearance of Jesus as the resurrected One ‘must have made one thing clear to [Saul]: he was not to change or persecute Christians … rather, he himself, against his legalistic stance, had to learn a new understanding of God and to change himself.’

Some scholars think that Saul’s strict view of justice is based on the celebrated Old Testament figure of Phinehas (Num. 25) who averted God’s wrath against Israel and it was reckoned to him as righteousness’ (Ps. 106). A person like Saul possessing zeal for God would have expected ‘strict punishment for unfaithfulness’ to that same God. Saul now discovers ‘a radically different perspective on how God relates to God's enemies’ and that ‘though grace is unthinkable without justice, justice is subordinate to grace’. But this only makes sense, according to Volf’s depiction of justice, if it is seen as ‘strict’. The problem

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736 Jürgen Becker, *Paul: Apostle to the Gentiles* (trans. OC Dean; Louisville: Westminster/John Knox Press, 1993), 76 observes that ‘the vision of the resurrected One could receive its language and its meaning from the immediate life situation in which it happened.’


738 Volf, "The Social Meaning of Reconciliation," 165.
with qualifying justice in a manner that makes ‘strict’ justice subordinate to grace, is to suggest that other ‘non-strict’ forms of justice might exist that are equal to, or perhaps surpass, grace itself. What kind of justice did Saul encounter, then, on the Damascus Road?

Wright compares Luke’s version of the encounter with the account of the Heliodorus from 2 Maccabees 3. Both narratives contain, ‘the great light, the falling on the face, the repeated call by name, the question as to who is speaking, and the command to get up, to stand up, and receive further instruction.’ Though ignored by Wright and other commentators, what is remarkable is the radically different kinds of justice that Saul and Heliodorus appear to face. Heliodorus encounters ‘the mighty power of God’ in the form of justice-as-vengeance that is both violent and unrelenting:

It charged fiercely at Heliodorus and struck at him with its front hooves. The one sitting on the horse appeared to have golden armour. Two young men also appeared to him; they were very strong, wonderfully beautiful and gorgeously dressed. They stood on either side of him and flogged him without stopping, inflicting many wounds on him. (2 Maccabees 3:25b-26)

The contrast between Saul’s encounter with the risen Jesus and Heliodorus with his assailants could not be drawn more sharply. Instead of a mighty sword, there is ‘peace between Paul and the speaker of the divine voice’.

Volf argues this ‘was not the consequence of justice carried out, but of **justice both affirmed and unmistakably transcended in an act of undeserved grace**’. Volf’s description of a justice that is not negated but affirmed and

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739 Wright, RSG, 392. Barrett, A Critical and Exegetical Commentary on the Acts of the Apostles, 441 cautions against making too much of the parallel accounts due to the fact that while these points of contact are ‘real’ they are also ‘relatively superficial’.

740 Wright, RSG, 392.

741 Volf, “The Social Meaning of Reconciliation,” 166. [emphasis retained]
eventually transcended is more properly conceived as the need for post-reconciliation justice, also known as restitution. In my view Saul was confronted with God’s restorative justice in his encounter with the risen Jesus on the road to Damascus. Saul’s reconciliation was followed by baptism and an apostolic call that involved suffering for Jesus’ name. (Acts 9:16). The apostle to the Gentiles would eventually employ the language of ‘new creation’ to highlight his reconciled relationship with God and the communities he was called to serve (Gal 2:20; 2 Cor 5:17). Reconciliation is received as a gift of grace. Justice is affirmed not in being transcended but through the clear obligation to make amends that true reconciliation brings.

Restitution: the ‘what you are to do’ of restorative justice

Restorative justice, unlike reconciliation, insists on restitution. Ignoring the need for restitution is to ignore a critical obligation of justice-making in social relationships. ‘Making amends’ concerns the questions of ὅ τι σε δεῖ ποιεῖν (‘what you are to do’, 9:6) after the reconciling encounter. In practice, the demands of restitution appear to be so impossible that an amnesty is declared prior to the naming of wrongdoing, the offer of

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742 Volf, "The Social Meaning of Reconciliation," 169 argues this represents the ‘Pauline version of the Christian faith - the same could be argued for the practice and teaching of Jesus – stands and falls with the idea that grace has priority over justice (grace, again, that does not negate justice but that affirms justice in the act of transcending it).’ Volf has not articulated how this view of ‘justice subordinated’ should be interpreted in light of his approach to restitution which focuses on its perversion (e.g. restitution without repentance) and its incompleteness. See further Volf, Free of Charge, 186-188 for his schema in which it would appear that grace produces repentance which produces restitution. The ‘priority’ of grace is depicted in temporal terms. I contend that it is better to equate grace with reconciling, restoring or restituting justice.

forgiveness and the act of reconciliation. Alternatively, restitution may be partial, symbolic or enacted through a ritual. The requirements of restitution are best understood in the light of reconciled relationships. The burden of wrongdoing shifts from the victim back to the wrongdoer thereby elucidating my claim that the ‘retributive’ and the ‘restorative’ are not mutually exclusive. A retributive approach is extrinsic and imposes the demands of restitution on the wrongdoer from outside the relationships impacted by their wrongdoing. A restorative approach is intrinsic and accepts the obligation of restitution from within those relationships as part of the requirement to make things right. Often restitution emerges from a combination of retributive and restorative impulses. Saul’s Damascus Road encounter contains conversion, call and reconciliation. But it is more than each or any of these. To ignore the risen Jesus’ instruction to Saul that he must continue on to Damascus where he will be told ‘what he must do’ neglects a significant aspect of justice and leaves the observer with a diminished reconciliation. This is what Bonhoeffer might have described as ‘cheap’ reconciliation.

Luke’s story of Saul’s post-reconciliation obligations

Luke does not end the story of Saul’s dramatic encounter in which his wrongdoing is named and forgiven by leaving his readers with overly

745 Williams, Resurrection, 14 understands this movement as ‘the authentic word of forgiveness, newness and resurrection. He says it ‘is audible when we acknowledge ourselves as oppressors and 'return' to our victims.'
spiritualised or mystical interpretations of what had occurred.\textsuperscript{746} He immediately connects the naming of wrongdoing with what is required of Saul, effectively making restitution integral to the whole encounter. First, Jesus continues to speak to Saul with the instructions of 9:6 introduced by ἀλλὰ ἀνάστησιν (9:6) and ἡγέρθη δὲ Σαῦλος (9:8).\textsuperscript{747} Saul ‘rises’. He is reconciled with the risen Jesus and drawn into the divine desire for reconciliation between God and the world, and between its people (in stark contrast to Saul’s former zeal for the Temple, law and righteousness). The particular shape of God’s purpose for Saul is his calling as an apostle to the Gentiles, here expressed by the verb ποιεῖν – what Saul must immediately do.\textsuperscript{748} Regrettably, the concrete and immediate action dictated by Saul’s conversion, call and reconciliation is disregarded by many commentators.

By way of correction, three points should be made here. While elsewhere we are told that Antioch and Jerusalem become critical locations for Saul’s mission to the Gentiles, at this point of the story Luke makes Damascus the immediate concern.\textsuperscript{749} Second, Saul must continue his journey into Damascus where Luke wants to show that the former persecutor of the early Church is fully reconciled with the community of disciples located there.

\begin{footnotes}
\item[746] Baban, \textit{On the Road}, 263 remembers that ‘the Lucan account of Saul's conversion includes the whole of Acts 9:1-31 as a unitary text, starting in Jerusalem and ending with Saul's return to the same locality yet in an entirely different situation (the persecutor becomes the persecuted one, the arch-enemy of the Church becoming a minister of the Word).’
\item[747] Άλλα, retains some adversative force See Barrett, \textit{Vol. 1 Acts i-xiv}, 451. Gaventa, \textit{The Acts of the Apostles}, 149 succinctly captures the transition ‘in the single word ‘but’ stands the disjuncture between Saul the enemy and the new figure who emerges from this event.’
\item[748] Present, active, infinitive. In Acts 22:10 it is posed as a question from Saul τί ποιῆσο, κύριε;
\item[749] Hengel and Schwemer, \textit{Paul between Damascus and Antioch}, 24-90 devote an entire chapter to Damascus as the ‘turning point in Paul’s Life’ and argues that ‘Damascus was specially the subject of prophetic-messianic prophecy.’
\end{footnotes}
Third, Saul must be initially reconciled with the pivotal figure of Ananias, a disciple from the Damascus community. Saul as a πρεσβευτός (be an ‘ambassador’ 2 Cor 5:18-20) of reconciliation begins to reverse the persecution he formerly practiced. He is reconciled with people like Ananais, with communities such as the early church in Damascus, and with God-in-Christ. For Saul the costly obligation of being reconciled is because δεῖ αὐτὸν ὑπὲρ τοῦ ὄνοματός μου παθεῖν (‘it is necessary that for my name he must suffer’ 9:16). FF Bruce notes the symmetry that Saul ‘was to endure many times over (see 2 Cor 11:23-27) what he had made others suffer, and that for the sake of the same name’. Moule’s insight into the link between suffering and reconciliation is striking in its relevance for contemporary restorative justice:

whereas the suffering involved in reconciliation is almost infinitely intensified, it is never, when we stand inside the Gospel, retributive suffering. Suffering there is in plenty. If reconciliation could be effected without suffering, it would not be reconciliation between persons … A person is, by definition, responsible. If he has committed an offence, he cannot be restored to fellowship until he has accepted the pain of responsibility for his offence and (so far as possible) made

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751 Tannehill, *Vol. 2: The Acts of the Apostles*, 116 observes that ‘Ananias is an important figure in Acts 9. He is more than a messenger. His reaction to events is important. The narrator takes time to present this reaction and the Lord's corrective response. Therefore, this episode is more than the story of Saul; it is the story of Saul and Ananias, a story of how the Lord encountered both and brought them together.’

752 Acts 9:18-19 where Saul is again described as ἀναστάς (cf. 9:6) and further symbolised in his baptism by Ananias ‘with the disciples at Damascus’.


754 Bruce, *Acts (Greek Text)*, 238.
reparation … On the side of the injured party – who, ultimately is God himself – the suffering of forgiveness is boundless. This too, is the cost involved in the structure of personal relationship, as God has created it. But, on both sides, the suffering is creative and restorative and healing, and in obedience not to abstract laws of justice but to the demands of the living organism of persons which is most characteristically represented by the Body of Christ. 755

Saul must travel to Damascus to ‘make things right’!756 But does the obligation to make things right extend beyond Damascus, and go for instance, as far as Jerusalem (9:19-30)? Does it include his broader mission to the Gentiles? The answer appears to be ‘yes’ in each case. As his mission draws to a close, the apostle still uses the somewhat surprising language in his letter to the Romans when he describes himself as ὀφειλέτης εἰμί (a ‘debtor’ or ‘under obligation in a moral or social sense’ 1:14).757 This language suggests that the apostle understood his risen life, his mission and his suffering for Christ’s name all in terms of a social obligation as well as a divine calling. Moule considers that for Saul, ‘through Jesus Christ come the judgment and mercy of God himself, bringing repentance and forgiveness, a new life of creative activity, and the summons to work for him, with passionate adoration, among the Gentiles as much as among the Jews’. 758

Being attentive to the ‘restorative justice’ elements in this story help us to see Saul’s enduring sense of obligation to make amends as an integral part of his conversion, apostolic call and reconciliation.

755 Moule, “Punishment and Retribution,” 266.
756 Myers and Enns, Ambassadors of Reconciliation I, 12 notes that ‘Paul as the emissary of Christ pleads: ‘be reconciled to God!’ But this ‘balancing of the books’ is demanding because, as we shall see it is to be predicated upon making peace with those from whom one is alienated, including one’s ethnic or political enemies. Thus Paul emphasises the need for ‘ambassadors’ to facilitate this challenging social vision.’
757 “ὀφειλέτης,” BDAG:742 denotes ‘one who is under obligation in a moral or social sense, one under obligation, one liable for.’
758 Moule, Christ Alive and at Large, 206.
Remembering the relational dynamics of Saul’s encounter with the risen Jesus directs our attention to the transformed relationship between Saul and Ananias in Damascus. It is particularly instructive with respect to the post-reconciliation dimension of restorative justice, ‘not only must Saul's aggression toward the disciples be curbed but Ananias' continuing fear of the persecutor must be overcome.’ Ananias, as the representative of the community in Damascus, is appropriately cautious because as Tannehill comments, ‘he heard from many about this man, how much κακία (wrongdoing, evil, bad, harm) he has done to [the] saints at Jerusalem’ (9:13). Thus ‘the reconciliation of enemies’ takes place through the literary device of the ‘double vision’ where Saul’s suffering for Jesus’ name is again on view, revealing the ‘Lord's statement to Ananias about what Saul ‘must suffer for my name (δέι … πάρειν, 9:16) using language that echoes Jesus’ passion predictions in Luke (cf. 9:22; 17:25; 24:26)’. For his part, Ananias as a disciple of Jesus Christ must love his enemy (Luke 6:27-8) by doing good to the one who hated him. In obedience to the vision (9:10-17), he must bless the one who was ‘breathing murderous threats’ against him in the laying on hands (9:17-18a). He must pray for the one who intended to abuse him through baptising him (9:18b). Ananias embodied the οἰκτίρμων of the Father (Lk. 6:36) and the risen Jesus (9:4-5)

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760 Tannehill, Vol. 2: The Acts of the Apostles, 114, 117 observing Ananias’ vision contains the following elements: ‘the narrative seeks to heighten the sense of surprise by rhetorical reversal in the dialogue between Ananias and the Lord. Ananias protests that Saul has come to inflict suffering on ‘those calling upon your name’, ‘but the Lord replies that Saul is a chosen instrument ‘to bear my name’ and he himself ‘must suffer for my name’ (9:14-16). The persecutor is about to become not ‘only a Christian but also an outstanding example of one who endures persecution in order to fulfill his mission, much to Ananias’ surprise.’"
Douglas Campbell observes how these ‘important new relationships were established by Saul's conversion – if they were not already in place in some sense’ but he unnecessarily limits their value by noting only that the ‘important information about the new movement was transmitted by means of those relationships’. 761 Myers and Enns offer a more confident interpretation of Saul’s ‘experience within the theology’. They conclude that he not only has τὸν λόγον τῆς καταλλαγῆς (‘word/message of reconciliation’) but that Saul himself is the ambassador (agent) of reconciliation (2 Cor. 5:19). 762 Remarkably this gospel of reconciliation can transform both the victim – such as Jesus with Saul or Ananias with Saul, and the wrongdoer – such as Saul with the Gentiles or the church in Jerusalem. The gospel empowers both to become an πρεσβεύω of reconciliation!

In his second letter to the church in Corinth, two aspects of the Damascus Road encounter are highlighted by the apostle. It was an occasion in which he ‘received mercy from God’ and, ‘God shone in his heart’ (4:1, 5, 6). Both express the end to corresponding aspects in Saul’s former life. First, he was a persecutor. Second, he was spiritually blind. Both declare the end of his former life and the beginning of the new. He is now sighted and is a preacher of the gospel of Christ giving light to others. 763

761 Campbell, The Deliverance of God, 142 shows that ‘his first community was based in Damascus (see Gal. 1:17b) … these concrete relationships with other Christians should not be obscured by Paul’s rhetorical emphasis within Galatians on his apostolic autonomy.’

762 Myers and Enns, Ambassadors of Reconciliation I, 11-13 this παρακαλέω (‘appeal’) can be understood both as an invitation and a challenge, and it comes through the agency of disciples acting as ‘ambassadors’.

Conclusion

By taking reconciliation as a starting point, I have shown that Saul’s encounter with the risen Jesus had several dimensions that, when considered together, serve to simultaneously affirm justice and restore relationships. The enemy-love of the risen Jesus reconciles enemies as friends in the *eschaton*. The presence of the risen Jesus awakens the desire for social reconciliation through *remembering* rightly and *seeing* enemies as heavenly friends. Stephen’s prayer asking God to forgive his enemies, modeled on Jesus’ own prayer from the cross, is inspired by Stephen’s vision of the risen, exalted Jesus. I have argued that forgiveness is predominantly a resurrection act because the risen Jesus, as saving victim and merciful judge, *names, questions* and *forgives* wrongdoing. Reconciliation is not achieved easily but through suffering. Reconciliation involves not only *absorbing* the cost of forgiveness and *embracing* the enemy but actively *repairing* the harm and the injustice of wrongdoing. In chapter 8 I will develop what I have identified as nine discipleship practices of restorative justice (remembering, seeing, desiring, naming questioning, forgiving, absorbing, embracing and repairing). The practices of discipleship – especially radical discipleship – are unattainable for isolated individuals as Bonhoeffer’s legacy poignantly reminds us. Faithfully following Jesus requires the power of the Spirit who creates the Christian community in which these practices are learned and lived. In the next chapter I will explore the reconciling community of Paul and his circle as they are led by the Spirit into the city of Philippi.
Chapter 7  The Spirit and restorative justice

The preceding chapters have demonstrated the need for restorative justice theory and practice to encompass fully the life, death and resurrection of Jesus. In most theological contributions, the role of the Holy Spirit has been largely absent. This virtual neglect constitutes a significant deficiency. While space prevents a comprehensive analysis of the place and function of the Spirit, I will provide an outline and suggest some directions for future work. This chapter serves two important purposes in the development my overall argument. The first objective is to describe those aspects of the Spirit’s work that bear upon restorative justice in the reconciling practices of Paul and his colleagues recorded in Acts 16.\(^\text{764}\) The second objective is to foreshadow the trajectory of Part III where I offer a description of restorative practices of discipleship and community that follow from Part II.

In chapter 2, I noted Marshall’s prediction that restorative justice would, in the future, need ‘to clarify the inherent spirituality in doing justice’\(^\text{765}\). To this point there have been general approaches to identifying relevant spiritual roots and related values but, in my judgment, they fall short of a specifically Christian and intentionally theological approach.\(^\text{766}\)

Contemporary theological outlooks with a stronger emphasis on the life, work and gifts of the Holy Spirit normally belong to the Pentecostal and charismatic churches. While these promote the work of the Spirit in the Christian life, the importance of working for justice and reconciliation have

\(^\text{764}\) I will demonstrate that in the Acts of the Apostles the role of the Holy Spirit is directly continuous with Jesus’ life, death and resurrection in the gospel of Luke.


\(^\text{766}\) The most obvious example is Michael L. Hadley ed. The Spiritual Roots of Restorative Justice (New York: State University of New York Press, 2001).
occupied a minor place. McClendon argues that only the Baptist tradition
(‘the Pentecostals had not yet arrived on the scene’) provides the ‘element
the other two types omit: the gift of the Holy Spirit’. Swiss biblical
scholar and theologian Eduard Schweizer influenced many (including
McClendon, Yoder and Stassen) who fit this ‘baptist type’. Schweizer’s
theology of the Spirit was inextricably tied to his Reformed Christology and
was a testimony to its comprehensive scope. Before engaging with
Schweizer as a conversation partner in this chapter, the role of the Spirit in
the relevant Lucan passages must be elucidated.


The activity of the Holy Spirit in the book of Acts is grounded in the life of
the crucified and risen Jesus. Jesus’ death and resurrection are combined
to become Luke’s central literary motif. Furthermore, Jesus’ death is the
result of the life he lived. Recalling the entire story of Jesus’ life, death
and resurrection in Luke’s writing highlights the importance of imagination
(remembering, seeing and desiring); conversation (naming, questioning and

767 McClendon, Doctrine, 335, 341.
768 While noting this ‘baptist theology’ of the Holy Spirit, I am more concerned with how
Schweizer’s theology and exegesis of Luke’s account of the Holy Spirit’s role influenced
the reconciling practice of the early Christians.
mean by Holy Spirit is that God is present and active on earth, then all Jesus’ works are
nothing else but the life of the Spirit of God.’
770 Acts 16:7 even refers to the τὸ πνεῦμα Ἰησοῦ'
771 Horton, Death & Resurrection: The Shape and Function of a Literary Motif in the Book
of Acts.
772 C F D Moule, "The Spirit," in Christ Alive and at Large: The Unpublished Writings of
C.F.D. Moule (eds. Morgan and Moule; Louisville: Westminster John Knox, 2010), 115-
116 notes that ‘what is new is the old phenomena newly focused on the risen Christ. That is
verbatim a new world, a new experience, incomparably more infectious, more compelling.’
[emphasis retained] Yoder, The Politics of Jesus, 110 where he argues that ‘first there was
the bare resurrection message; then there was the lordship proclamation; then it was filled
out with the body of memories of the words and works of Jesus of Nazareth. The
movement in the formation of the New Testament literature was toward, not away from,
filling out ‘the picture of Jesus’ humanity.’ [emphasis retained]
forgiving); and, embodied action (absorbing, embracing and repairing). In Acts, Luke reveals the dynamic relationship between Jesus’ risen life and the Spirit by showing that ‘the resurrection appearances made possible for the disciples a new awareness of God's nearness. This phenomenon they called ‘the Spirit’.  

The role of the Holy Spirit has been implicit in the passages examined from Luke-Acts in earlier chapters. In Jesus’ enemy-love (Luke 6), it is the Spirit who animates the imaginative practices of both victims and wrongdoers to remember rightly, to see differently and to desire reconciliation. In Jesus’ suffering and death for his enemies (Luke 23), it is the Spirit who enables Jesus to pray and forgive. In reconciliation with the risen Jesus (Acts 9), it is the Spirit who brings victims and wrongdoers together. The costly actions of absorbing, embracing and repairing borne by victims and wrongdoers is enabled by the Spirit. We now need to identify the continuing presence of the earthly, crucified and risen Jesus through the Spirit in the mission of Paul and his circle. My intention is to show that life ‘in the Spirit’ meant the early Christian communities’ mission to the Gentiles was by shaped their reconciling practices.

In the previous chapter, I argued that ‘God’s nearness’ in Jesus’ appearance to Saul can be interpreted as a restorative justice encounter where the word of judgment and the word of forgiveness are

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773 McClendon, Ethics 248, 254 appreciates Yoder’s linking together the Spirit with baptism and discipleship in his quote that baptism is for “all those who desire to walk in the resurrection of Jesus Christ” (Yoder, ed., 1973: 36).’

774 C F D Moule, Holy Spirit (London: Continuum, 2000), 37 notes ‘Acts … represents the Spirit as implementing among Christians the mission and message of Jesus. In the Acts, it is by the Spirit that the Church's expansion through evangelism is inspired, directed and confirmed at every stage … the sending out of the apostles by the risen Christ is coupled with their endowment with Spirit.’ See also McClendon, Ethics 276 ‘the hot breath of the Spirit does blow, the liberating air of the resurrection rushes in.’
offered jointly. Saul’s ‘conversion’ was more than a moment of reconciliation between him and the risen Jesus. It was also his ‘calling’ to be an apostle to the Gentiles. I interpreted this added dimension as Saul’s making restitution for his persecution of Jesus, individual believers and the wider Christian community. McClendon posits a ‘resurrection ethic’ that incorporates a concept similar to the notion of making amends, where ‘a resurrection ethic contains a dynamic power to turn back into the communal life the energies of the resurrection of Jesus Christ from the dead.’

According to Luke’s account in Acts, it is the Spirit that enables Paul and his circle to act as ambassadors of reconciliation. This is demonstrated in the context of Paul’s encounter with Roman law, customs and justice in Philippi (Acts 16). Luke’s story places a spotlight on Paul who is empowered by the Spirit to act consistently with the ‘truth of the gospel’ in a hostile, public context resplendent with competing political, legal, and economic interests. In Philippi, it is Paul who is charged with ἐκταρασσομένῳ τῇ πόλιν (disturbing our city) through specific ἔθη (customs) and ποιεῖν (doings, practices) (Acts 16:20-21). But we need to ask: does Paul retreat from his reconciling practices among the Gentiles in order to maintain peaceful relationships so that he can further the gospel? In answering this question, C Kavin Rowe inverts the conventional view that in Luke’s thought the early Christian mission posed little or no threat to

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775 McClendon, *Ethics* 249 although McClendon does not use the language of restorative justice theory.
776 Paul opposed Peter for retreating from the reconciling practice of eating with Gentiles in Antioch when Peter (and then Barnabas) were pressured to cease doing so by envoys sent by James from Jerusalem (Gal 2:11-14). The variation in some of the details between the accounts given Paul and Luke are not important here.
Roman hegemony.\textsuperscript{777} In his account of the mission to the Roman city of Philippi with its attendant laws, customs and culture (Acts 16:6-40), Tannehill observes that Paul’s practices replicate those of Jesus’ enemy-love (Luke 6) and Jesus’ compassion in the midst of suffering (Luke 23). In taking this approach Tannehill identifies several links connecting both volumes of Luke’s narrative:

> The conversion of the gaoler is not just one more of the many conversions in Acts but the conversion of a member of the oppressive system that is punishing Paul and Silas. The earthquake gives Paul the opportunity to show this gaoler the love of enemies that Jesus taught (Luke 6:27) … Paul's attention to the welfare of another in the midst of his own suffering – somewhat like Jesus' concern for the criminal crucified beside him – brings to the gaoler a share in the salvation that God offers through Jesus.\textsuperscript{778}

Similar parallels, allusions and echoes from Luke’s gospel, such as salvation, deliverance, hospitality and resistance, are also present in Acts. The first is where the slave girl delivered from spiritual, social and economic oppression (Acts 16:16-18) brings to mind scenes of exorcism in Luke 4:34 and 8:28 and foreshadows similar events in Ephesus (Acts 19:12-15).\textsuperscript{779} The second is where the prison doors are opened and the prisoners are released without human action (Acts 16:23-26). This incident reminds readers of previous miraculous events (Acts 5:19-21; 12:6-11).\textsuperscript{780} Together these episodes of salvation and deliverance in Philippi must be interpreted in the light of Isaiah’s prophetic vision (61:1-4) and Jesus’ words in fulfilling that vision (Luke 4:16-21). Significantly, Tannehill’s insights encompass Jesus’ teaching, life and death. Regrettably, he did not

then extend these insights to Jesus’ risen life. I will draw on these replications and parallels to interpret how the Spirit’s presence, guidance and empowering served to influence the mission to Philippi. But first, through a dialogue with Schweizer’s theology I will argue for an explicit role for the Spirit in continuing the reconciling practices of Jesus’ life, death and resurrection.  

_Eduard Schweizer and restorative justice_

According to Schweizer, ‘what distinguishes the Spirit of God from all other spirits is not the strange modes of his manifestation but his witness: the unambiguous word of Jesus’. In the events in Philippi, the Spirit’s manifestation ‘guides, facilitates and empowers’ Paul’s reconciling work. The Spirit’s witness is evident in gathering and strengthening the Christian community by the opening of hearts and homes. It is seen through delivering, saving and baptising in the name of Jesus. It is displayed in resisting authorities and disrupting the city. These activities lead inevitably to opposition, accusation and suffering for Jesus’ name. This outcome is consistent with Schweizer’s description of the Spirit as ‘God’s irruption’ in the world. He adds: ‘Luke tells us how God in his Spirit is constantly

781 Robert J. Banks, "The Role of Charismatic and Noncharismatic Factors in Determining Paul's Movements in Acts,” in Holy Spirit and Christian Origins (eds. Stanton et. al., Ithaca: Snow Lion Publications, 2004), 130 concludes ‘Luke often prefers simply to state the facts about Paul's movements rather than formally articulate the principle behind them, leaving the reader to infer this from the general drift of the narrative or, at times perhaps, from their general topological knowledge. If we keep his purpose and approach in mind, we can say that Luke highlights the more charismatic forms of general guidance that occur at a few pivotal points in Paul's journeys, but depicts in greater detail how much their specific progress, even at such moments, sprang from a range of more personal or circumstantial factors.’

782 Schweizer, The Holy Spirit, 118.
intervening in the life of the community … He cannot be detained at the place where he happens to be at the moment’.  

What Luke consistently demonstrates through Paul’s encounter at Philippi is Jesus ‘as the definition of the Spirit’ and the Spirit’s ‘fidelity to Jesus’. As a general theme within Trinitarian theology, there is nothing remarkable in the integrity of Jesus and the Spirit. In Acts 16 however, the Spirit-enabled practice of Paul in the conduct of the Philippian mission is shaped by reconciling practices that were directly inspired by Jesus’ enemy-love, that is, Jesus’ suffering death for enemies by the risen Jesus’ reconciling justice. The most distinctive feature of Paul’s reconciling practice is, therefore its ‘cruciform shape’, by which we mean his willingness to suffer for the name of Jesus. Schweizer provides, therefore, a convenient theological bridge between the life and work of Jesus and life in the Spirit.


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783 Schweizer, *The Holy Spirit*, 78 a phrase which succinctly describes three of his six marks of the Holy Spirit: God beyond our control, guidance and being open to God and his future.
786 Schweizer, *The Holy Spirit*, 50-52, 57 thinks ‘Luke deliberately seeks to emphasise Jesus’ actions and to differentiate Jesus, as the unique bearer of the Spirit, from all Old Testament and other contemporary prophets.’
787 Schweizer’s approach is significant for McClendon, *Ethics* 262 who notes ‘this newer strand of Lucan exegesis is represented for us here by Swiss New Testament scholar Eduard Schweizer … [who] did indeed see history continuing after Christ’s resurrection as
in Acts testifies to the power of the Spirit in the life of the early church. For Schweizer, this power is evident in three spheres: miracles – which are ‘done explicitly in the name of Jesus (4:30, 9:34; 16:18; 19:13)’; speaking in tongues and prophecy – from Pentecost onwards where ‘the Spirit of God broke into the community in a strange and surprising way’; and, baptism in the Spirit where ‘accompanying phenomena point to the extraordinary manner in which the Spirit of God would irruption’. Each of these is present in Acts 16 where Paul and his circle travel to Philippi. The first is manifest in a miraculous vision, exorcism (in Jesus’ name) and an earthquake. The second is the unusual prophesying of the slave girl. The third is the baptism of the entire households of Lydia and the gaoler. Schweizer develops these spheres of God’s activity through the Spirit in Acts and sorts them into six ‘marks’ of the Holy Spirit. They are fidelity to Jesus, God beyond our control, freedom, fellowship, guidance and being open to God and God’s future. I will allude to each of these throughout the chapter as I interpret Acts 16.

*The Spirit in Philippi: Acts 16:6-40*

Following Saul’s encounter with the risen Jesus (Acts 9), Luke’s narrative turns first to Peter’s vision and then his meal with the Gentile Cornelius (Acts 10) before culminating in the decisive council of Jerusalem (Acts 15) where Paul is endorsed formerly as an ambassador of reconciliation to the

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788 Schweizer, *The Holy Spirit*, 58-65 cautions that: ‘Luke mentions such striking phenomena as speaking in tongues only where it is God’s purpose to take some extraordinary step for his people.’

Gentiles (2 Corinthians 5:17). The ‘second missionary journey’ begins immediately (Acts 16-19). For my purposes, the focus is on 16:6-40. The section beginning with Acts 16 delineates a significant break with the preceding chapters. The affirmation by the Jerusalem council (Acts 15) of Paul’s calling to the Gentiles (Acts 9) explains the new direction for mission. Dunn summarises the evidence for this conclusion: Macedonia marked a new beginning, the vast majority of the letters written by Paul were to churches founded in this period of mission, and the ‘Aegean mission was the heart of Paul’s missionary work.’

The new direction coincides with the first occurrence of the Lucan ‘we’ passages in Acts. While their significance continues to be debated, a growing consensus is that the passages strengthen Luke’s historical reliability rather than engendering suspicion about Luke’s veracity. Following the events in Philippi (16:6-40), Paul travels to Athens and delivers his speech at the Aerogapus (17:22-34). The sequence of events recorded in Acts 16:6-40 are most likely Luke’s eyewitness account of the establishment of the earliest Christian community in a city that was pagan by religion, Roman by law and custom, and a ‘leading city of the district’ (16:12) in terms of its economics and reputation. We observe that events unfolded at divine

Dunn, Beginning from Jerusalem, 661 argues ‘the Aegean mission was indeed the principal period of Paul's missionary work and the one which has made the most lasting impact on Christian development and thought.’


initiative and with divine approval. Both Jews and God-fearing Gentiles were being reconciled to God. The name of Jesus’ has proven superiority over other spiritual forces. Finally we see how these new communities interacted with the civic authorities.793

Understanding the dynamic inter-relationship between the Spirit and restorative justice is aided by what Bock describes as ‘five ‘major public accusation type scenes' between here and 21:36 – Philippi, Thessalonica, Corinth, Ephesus, and Jerusalem – with three main elements each: seizure, charges, reaction’.794 The civic disturbance of the missionary activity of deliverance is Paul’s willingness to suffer beatings and imprisonment for Jesus’ name. Another is the ambiguous nature of the ‘presence, guidance and involvement’ of the Spirit in the stories concerning Philippi and beyond.795 My aim, therefore, is not only to demonstrate the work of the Spirit in Philippi in terms of personal deliverance and household salvation but to explore further the twin features of disturbance and ambiguity accompanying the Spirit’s witness.

793 Dunn, Beginning from Jerusalem, 662-663. Most evidence suggests that Luke’s home was in Philippi or a town located in the surrounding region. Dunn believes the episodes in Philippi exemplify ‘how highly accomplished Luke was as a raconteur’ in highlighting a number of his central concerns.


795 There is a high degree of correlation between Dunn’s analysis of the key themes in Philippi and Schweitzer’s identifying marks of the Holy Spirit mentioned previously. See also Banks, "The Role of Charismatic and Noncharismatic Factors," 117-130 who cites numerous examples of renewed interest in exploring the presence, guidance and filling by the Spirit in Acts chapter 16. Recent examples include John B. F. Miller, "Paul's Dream at Troas: Reconsidering the Interpretations of Characters and Commentators," in Contemporary Studies in Acts (ed. Phillips; Macon: Mercer University Press, 2009), 138 who notes the ambiguity in which ‘human decision, interpretation and struggle needs to be balanced by God’s guidance to be faithful to the Lucan narrative.’ John R. Levison, Filled with the Spirit (Grand Rapids: Eerdmans, 2010), 317 finds tucked away in Acts 16 between ‘two dramatic stories that emblematize a successful mission … is a tale that is told in passing, a transitional little scene’ in which ‘we may become more susceptible to incongruities and unexpected dimensions of the book of Acts.’ Levison’s interpretation of the deliverance of the slave girl is detailed in the exegesis that follows.
The Spirit and discernment (16:6-10)

Paul attests to relying on the Spirit for guidance and Luke refers to such guidance as ‘the Spirit of Jesus’ (Acts 16:7). The identification of the Spirit’s guidance in the previous verse (16:6) as τὸ ἅγιον πνεῦματος (‘the Holy Spirit’) merely confirms Paul’s own testimony. It is significant that in Philippi the apostle is arrested and imprisoned for the first time.

The period he spends in prison (e.g. 16:19, 23-24) – usually accompanied by beatings (e.g. 16:22-3) and later house arrest (e.g. Acts 28:16) – become the embodiment of Paul’s suffering for the sake of Jesus’ name (9:16). The invocation of his name in 16:7 as τὸ πνεῦμα Ἰησοῦ connects this thread in Luke’s surrounding narrative in an unambiguous way. Dunn corroborates this connection by arguing that ‘for Paul not only is the power which he experiences the risen life of Christ, but the suffering which he undergoes is somehow the suffering of Christ given over to death’. Paul’s obligation to suffer for Jesus’ name is realised in the drama that unfolds in Philippi.

796 Banks, "The Role of Charismatic and Noncharismatic Factors," 117-130 confirms the interpretation of his friend Dunn, Jesus and the Spirit, 222-225.

797 The interchangeability in 16:6-10 between the agency of πνεῦματος (‘Spirit’, 16:6), τὸ πνεῦμα Ἰησοῦ (‘Spirit of Jesus’, 16:7) and προσκέκληται ἡμᾶς ὁ θεός (‘the God who had called us’, 16:10) is striking, as is their absence in 16:19-25 where the ἄρχον (‘rulers, authorities’, 16:19) is exercising its justice through the στρατηγοὺς (‘magistrates’, 16:20). Here, Paul and Silas, guided by the Spirit (Jesus, the calling of God) are accused of ἐκταράσσουσιν ἡμῶν τὴν πόλιν (‘disturbing our city’, 16:20).

798 Philippi - it may well have seemed like a ‘little Rome’ in Bock, Acts, 533 is his pithy summary of Philippi’s prominence, wealth, status as a colony and its small Jewish presence. The more detailed accounts of Philippi by historians and commentators do not need to be repeated here.

799 Eduard Schweizer, Jesus Christ: The Man from Nazareth and the Exalted Lord (London: SCM, 1989), 10 states: ‘it is not possible to understand Jesus as long as a person is detached from the problems, the misery, the ardent desires and dreams of his or her surroundings.’ See also Dunn, Jesus and the Spirit, 330.
The Spirit and reconciling practice \(^{800}\) (16:11-34)

Luke offers three vignettes of Paul’s reconciling practice that effectively create space for new relationships and the creation of diverse community.

The Spirit does this work by opening hearts and homes (Lydia and her household); offering deliverance from spiritual possession and human oppression (slave girl & owners); and, saving and then being reconciled with the enemy (the Philippian gaoler). The people that Paul encounters are not random individuals. Lydia is a God-fearing woman, the girl is a spirit-possessed slave and the gaoler is a ‘secular’ soldier.\(^{801}\) Each represents a group held in contempt by Second Temple Judaism (women, slaves and Gentiles).\(^{802}\) Paul’s mission to Philippi incorporates reconciling practices for each of the groups represented by Lydia, the slave girl and the gaoler.

This reconciling practice is the outworking of both the agreement reached at the Jerusalem Council (Acts 15), Paul’s personal reconciliation with the

\(^{800}\) I am adopting the phrase ‘reconciling practice’ which was conceived by Tilley, *The Disciples’ Jesus*, 18, 24-25 who argues ‘the present approach is a theological exploration of christology in and as practice, specifically the reconciling practices that constitute the pattern of Christian discipleship … the primary Christological issue is truly personal and truly an issue for those who are disciples, whether or not they are scholars.’ Tilley’s practical Christology is particularly relevant because it affirms ‘the practices of discipleship as the context within which Christology emerges in the New Testament: the Christian life is itself the basic Christological text.’ Tilley’s approach is sympathetic to narrative approaches to Jesus’ life, death and resurrection adopted in this thesis as well as the theological importance of the specific practice of discipleship as reconciliation. The distinction between (God’s) Spirit and (the human) spirit is an important aspect of pneumatology that is beyond my scope here, but some of the central issues are canvassed by Moule, *Holy Spirit*, 7-21 in an excellent overview of the exegetical issues regarding ‘the Spirit of God and the spirit of man’. I do not take this as far as Jürgen Moltmann, *The Spirit of Life: A Universal Affirmation* (London: SCM Press, 1992), 98 who does away with the distinction altogether because ‘the experience of God deepens the experiences of life. It does not reduce them, for it awakens the unconditional Yes to life. The more I love God the more gladly I exist. The more immediately and wholly I exist, the more I sense the living God, the inexhaustible well of life, and life’s eternity.’ The ‘ambiguity of charismatic experience’ must be preserved as argued by Dunn, *Jesus and the Spirit*, 302-307.


\(^{802}\) Bock, *Acts*, 536 resulting in ‘all gender, ethnic and social barriers are crossed’.
risen Jesus and, subsequently, with Ananias and the Christian gathering in Damascus (Acts 9). 803

To this point, the main focus of scholarly writing on the missionary activity in Philippi in particular, and the journeys in the book of Acts more generally, have been the theological implications of Paul’s gospel of reconciliation. 804 The Australian New Testament scholar David Peterson concentrates on Luke’s focus on Paul’s individual encounters with households beginning in Acts 16. This is significant because ‘there is no speech to a synagogue audience recorded for this journey’. 805 For similar reasons, Wright identifies that the main symbol of Paul’s gospel is a unified community. He argues that its emergence should be considered the starting point of Pauline theology. 806 The work of Peterson and Wright showcase renewed interest in how Paul and the other missionaries lived the gospel. From my perspective, the lens of restorative justice reveals the wider practical implications of Paul’s theology of reconciliation. Unexpectedly, the story in Philippi concludes with Paul, the ambassador of reconciliation, being told to leave the city. It is plain from this rejection that reconciling practices have the potential to cause disruption to civic life, challenging public laws and overthrowing accepted customs. True reconciliation makes demands on both victims and wrongdoers, encompassing both reconciliation and justice. Nevertheless, some commentators are still wedded to the idea

803 Paul’s relationships also include his divisions with Peter and Barnabas.
that Luke’s objective is to prove the activities of Paul’s circle as neither ‘subservient to Rome … [nor] fundamentally at odds’ with Roman authority. And yet, Rowe’s more recent investigation of first century politics reveals a striking contrast between Paul’s ethos and Roman customs. His findings make better sense of the events in Acts 16.

To adopt the customs (ēθη) advocated by these missionaries, as in fact happens in the Philippian pericopa both preceding and following (Lydia and the jailer), would thus be to accept (πορευόμενοι) and to embody (ποιεῖν) a set of convictions that run counter to (οὐκ ἔχεσθαι) the religious life of the polis.808

Luke records that it was the έθη (‘habit’ as in ‘usual or customary manner of behavior’ or ‘custom’ as in ‘long-established usage or practice common to a group’) of Paul’s mission that were embodied in their ποιεῖν (‘practices’) that aroused the opposition in Philippi and not their preaching.809 I will demonstrate that these reconciling practices animated by the Spirit produced salvation and deliverance, hospitality and resistance. Luke describes what Bonhoeffer discovered through his experience in the Nazi resistance: in order to be an ‘ambassador of reconciliation’ it is sometimes necessary to ‘disturb the [false] peace’. Bonhoeffer famously referred to a third strategy of putting ‘the spokes in the wheel [of the governing authorities] itself’.810

807 Ben Witherington, _The Acts of the Apostles: A Socio-Rhetorical Commentary_ (Carlisle: Paternoster, 1998), 487 only tells half of the story by asserting that ‘Luke is at pains to show that the Gospel and its followers can exist within the confines of the place of Roman authority by creating its own space ‘in house: … thus he shows that the faith, while not subservient to Rome, is not fundamentally at odds with the Roman empire or its authorities.’

808 Rowe, _World Upside Down_, 26.

809 “ėθη,” _BDAG_:277.

Reconciling practice with Lydia: opening hearts and homes (16:13-15)

The first documented convert of the mission sanctioned by the council in Jerusalem (Acts 15) ‘to the Gentiles’ appears to have been a rich, female God-fearer named Lydia. The socio-economic status of this convert could not be more different to the members of the early Christian community who were predominantly Jewish males and poor women. Lydia’s story is a timeless reminder that the reconciling practice of the missionaries, guided by the Holy Spirit, begins at the edge of power and privilege and not at their origin or centre. This approach is also consistent with the pattern of Jesus’ mission through his life, death and resurrection.

The gospel of Jesus Christ embodied in the teaching and reconciling practice of Paul and Silas immediately finds a receptive heart and home in Lydia (16:14-15). The expression ὅ κύριος δυνατόν τὴν καρδίαν (16:14) echoes the response of the disciples on the road to Emmaus to the teaching of the risen Jesus (cf. Lk. 24:32). Lydia’s hospitality recalls Jesus’ own instructions for the conduct of mission in Luke 9:4 (‘whatever house you enter, stay there, and from there depart’).


812 From the opening of Luke’s gospel and the emphasis in Mary’s Magnificat are the reversals brought about by Jesus’ life, death and resurrection. In the episode with Lydia we can note that the reconciling practice of Paul’s mission once again begins at the margins. For example, the story begins by naming the physical margins … outside the gate: echoes of where Jesus’ was crucified by the Romans. Although Philippi a Roman city of some importance, we should note that a riverside in Philippi is physically remote from the temple in Jerusalem. The Lydia story begins at the religious margins – in a place the missionaries ἐνομίζομεν (‘supposed – with some suggestion of tentativeness or refraining from a definitive statement – think, believe, consider’) was a place of prayer. Most importantly the story takes place at the social margins as the conversion of a wealthy, female, God-fearer.

813 Then the practical hospitality that follows an open heart (Acts 16:15 ‘If you have judged me to be faithful to the Lord, come to my house and stay’, cf. Luke 24:28-30).

814 The second half of Jesus’ instruction (Lk 9:5) is ‘wherever they do not receive you, when you leave that town shake off the dust from your feet as a testimony against them’ which illuminates the conclusion of the mission in Philippi.
Lydia’s οἶκος becomes the gathering place for the new Christian community in Philippi (cf. 16:15, 40). In Lydia’s house the daily reality was the diverse gathering of Jewish Christians and God-fearers with new Gentile converts (such as the gaoler and his family).\footnote{Bock, \textit{Acts}, 535.} Lydia’s open heart and welcoming home provide the practical means for Paul and his colleagues to remain in Philippi.\footnote{This observation is well supported by the study of socio-economic status within the early assemblies such as Peter Oakes, \textit{Reading Romans in Pompeii: Paul's Letter at Ground Level} (Minneapolis: Fortress Press, 2009). For the priority given to the household in Paul’s mission see the earlier findings of Banks, \textit{Paul’s Idea of Community}, 33-42.} Her reconciling practice reveals her κοινωνία (‘partnership, sharing’) in the gospel (according to Paul’s language to the church in Philippi, Philippians 1:5), along with her διακονία (‘service, ministry’) of reconciliation’ in his letter to the church in Corinth (2 Cor. 5:18).

The reconciling practice of the apostle Paul continues to ‘make amends’ by establishing and strengthening the households of Christians similar to those that, as Saul the persecutor, he had once attempted to destroy systematically.\footnote{Witherington, \textit{The Acts of the Apostles}, 487 note 468 also notes ‘Lydia’s providing of a meeting place was thus crucial to the existence and growth of Christianity in this place.’} I will return to the central importance of local communities in supporting and sustaining the costly work of reconciling practices in chapter 9.

Reconciling practice with a slave girl: delivering from spiritual and human exploitation (16:16-24)

The realm of spiritual opposition to God and God’s purposes is a feature of Lucan storytelling. For example, early in the ministry of Jesus and immediately after the announcement of his mission at the synagogue in
Nazareth (Luke 4:16-30), an unknown and unnamed spirit appears, with apparent knowledge of the true identity of Jesus. Jesus rebukes the ‘spirit of an unclean demon’ by telling it to be quiet and to ‘come out of the man’ before the possessed man is thrown to the ground (Luke 4:31-37). In the opening chapters of Acts, Luke records Peter’s healings which also give prominence to such opposition in the early Christian experience (3:6, 16; 4:12).

Paul’s encounter with the spirit-possessed slave girl is a crucial story of the Spirit’s work because of what is omitted when compared with these other Lucan exorcisms. The story does not include any reference to the Spirit; it is not precipitated by Paul’s compassion or love for the girl; it does not include the girl’s salvation; and, it does not evoke any sense of wonder or amazement among the crowd. In stark contrast to Luke’s enthusiastic depiction of exorcisms elsewhere (e.g. Luke 4:31-37) the story refers only to a pythonic spirit, Paul’s annoyance, the owner’s financial concerns which lead to the apostle’s accusation, beating and imprisonment. John R Levison suggests that Luke includes the story as an alternative to the successful ‘Pentecost’ story of what it means to be ‘filled with the Spirit’ in Christianity’s expansion. He observes that the slave girl’s deliverance occupies an awkward place in the mission at Philippi. It comes between Lydia’s and the gaoler’s salvation – which function as

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818 Levison, *Filled with the Spirit*, 322 notes ‘the story of the slave-girl contains none of this drama. Her story does not so much rise to a conclusion as drift away.’ Nonetheless Dunn, *Beginning from Jerusalem*, 671 is correct to describe ‘the story (16.16-40)’ as ‘one of the most vivid in Luke’s second volume.’

819 Levison, *Filled with the Spirit*, 318 thinks ‘precisely because potentially propagandistic elements are stripped bare in this episode of a mantic slave-girl, we are able, through a sideways glance, to garner an unvarnished glimpse of inspiration, as much through what Luke does not divulge as through what he does.’
[two] dramatic stories that emblematise a successful mission. Two honorable people. Two receptive listeners who were eager to know more about Jesus from Paul and Silas. Two accounts of household baptisms. Two stories of hospitality shown Silas and Paul—of lodging and a meal. Tucked away between these monumental narratives is a tale that is told in passing, a transitional little scene that appears to serve little more function than to explain how Paul and Silas found themselves in prison.\

In this ‘transitional scene’ the slave girl’s words are nevertheless remarkable: ‘these men are servants of the Most High God, who proclaim to you the way of salvation’ (16:17). Levison interprets these words as ‘irenic and supportive’. They are unexpected and are quite unlike the confrontational style normally associated with such spirits. The slave girl rightly identifies the Spirit of God as one who works salvation in the name of Jesus Christ (cf. 4:12).\(^{821}\) Does Luke regard the slave girl’s spirit as one in opposition to the Spirit of God or as something more benign? Levison suggests the girl’s spirit is *not* opposed to God’s Spirit because this is

arguably, and surprisingly, the most concise encapsulation of the message of salvation in Acts; it is an accurate précis of key themes from Luke-Acts: servant, Most High, preaching, the way, and salvation. The slave-girl expresses the message of salvation better than anyone else in the book of Acts. The slave-girl is more uniquely Lucan than the Lucan Peter!\(^{822}\)

This assessment, though not widely held, appears to offer the most natural reading of Luke’s account. More traditional interpretations insist upon the slave girl’s μαντεύομαι (‘prophesy, fortune-telling, divination’) being false, and therefore evil, and appear more concerned with defending Paul’s

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820 Levison, *Filled with the Spirit*, 317.
821 Luke has previously established the connection in the speech in Acts 4:10, 12 ‘by the name of Jesus Christ of Nazareth, whom you crucified, whom God raised from the dead … there is salvation in no one else, for there is no other name under heaven given among men by which we must be saved.’
822 οὕτως οἱ ἁγνοὶ δοῦλοι τοῦ θεοῦ τοῦ ύψιστον εἰσίν, οἵτινες καταγγέλλουσιν ὑμῖν ὅδον σωτηρίας, see Levison, *Filled with the Spirit*, 321.
annoyance – and hence exorcism of the spirit – in the face of potential misunderstanding in a non-Jewish and Roman context.\textsuperscript{823} The more traditional interpretation does not explain why Paul permitted ‘her to keep doing this for many days’ if the slave girl’s ‘oracle’ was actually deemed false, misleading and evil.\textsuperscript{824} Nor does this view explain why Paul did not rebuke the spirit if its utterances were impeding the gospel (cf. Luke 4:35, 41). Levison considers that Paul was simply irritated by the continuous shouting of the girl.\textsuperscript{825}

The deeper problem that results from ‘demonising’ the pythonic spirit as spiritual opposition is that it conceals the real contest with the powers that control and exploit the girl – the economic greed of oi κύριοι αὐτής (‘her lords, masters, owners’). The invocation of Jesus’ name unmasks the greed and exploitation of these ‘lords’ who appear to be significant persons in Philippi.\textsuperscript{826} As Rowe notes: ‘the display of power

\textsuperscript{823} Examples of this line of interpretation include Bock, \textit{Acts}, 536 who admits that ‘although what the woman is saying could be construed as ironically true, the fact that she represents many gods makes her testimony less than welcome, and ultimately, potentially misleading … finally the phrase \textit{hodon sōtērias} may mean only ‘a’ way of salvation, adding to the confusion of what she is saying.’ Peterson, \textit{The Acts of the Apostles}, 464 discredits her testimony with a rather strange argument ‘what the slave girl was saying was true at one level, but it doubtless lacked these gospel perspectives. Her message was false because it was being proclaimed by someone who did not really know what she was talking about. On her lips, even the assertion that there was ‘a way of salvation’ could so easily have been interpreted in a polytheistic and pagan fashion.’ If the criterion of ‘really knowing what he or she was talking about’ were applied to all utterances in Luke-Acts, then the extent of reliable testimony would be seriously curtailed.

\textsuperscript{824} In favour of the traditional interpretation is the Old Testament prohibition against such divination. Possessing spirits are rarely depicted as ‘neutral’ see Bock, \textit{Acts}, 536 and Peterson, \textit{The Acts of the Apostles}, 464.

\textsuperscript{825} Levison, \textit{Filled with the Spirit}, 321-322 argues: ‘Paul could hardly have been expected to permit her to accompany him and to cry out her message for many days if he had sensed in the occasion a confrontation between good and evil … Paul resorts to commanding this spirit to leave the girl, not because he is engaged in a cosmic battle between good and evil, but because he is annoyed by her yelling, which he and his colleagues endured for many days. There is accompaniment here that is cut short only by annoyance. The slave-girl's prophesying is permissible until, oddly enough, it grates on Paul's nerves.’

\textsuperscript{826} Rapske, \textit{The Book of Acts and Paul in Roman Custody}, 119-120 concludes ‘previous discussion suggests quite strongly that it would be significant that the accusers, as long-standing residents in Philippi, were locally known, Roman citizen status, military
through the evocation of the name Jesus Christ has removed dynamically – rather than simply epistemologically – the economic benefit derived from the possession of the girl. The masters own the \( \pi\alpha\delta\iota\sigma\kappa\eta \) [girl] not the \( \pi\nu\varepsilon\omicron\omicron\alpha \) [spirit]. The owners reveal themselves to be motivated entirely by self-interest. They are unable to celebrate her deliverance because they are trapped in the grip of powers beyond their control. While they still own the girl, the spirit effectively ‘owns’ them. This ownership is confirmed in Luke’s account where they retain the slave girl within their possession (and control), but they have no authority or influence over the pythonic spirit providing their financial security. Knowing their \( \varepsilon\rho\gamma\alpha\sigma\iota\alpha\varsigma \) (‘profits’) had \( \varepsilon\zeta\iota\lambda\theta\epsilon\nu \) (‘come out, gone’) with the spirit they make a counter-claim that begins with the same words \( \sigma\upsilon\tau\omicron\oi\; \xi\nu\theta\rho\omega\pi\omicron\iota \) … ‘these men are disturbing our city; they are Jews and are advocating customs that are not lawful’ (16:20).

Luke leaves his readers with little doubt as to those who correctly discern the true identity of Paul and Silas (‘these men’). The pythonic spirit speaks truthfully. The owners’ greed and exploitation leads them to make false accusations. Dunn convincingly describes the strategy the owners employ in seeking justice with the magistrates as their legal rights as Roman citizens, alongside the deeper significance of the charges against Paul as a Jew in Roman context.

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\(^{827}\) Rowe, *World Upside Down*, 19-20 concludes ‘this dynamic character of the exorcism is finally what is so fundamentally disruptive in Philippi.’

\(^{828}\) Acts 16 simply – but emphatically – describes the pythonic spirit as having \( \varepsilon\zeta\iota\lambda\theta\epsilon\nu \) (‘come out’) of the slave girl but does not elaborate any further. The description ends with the slave girl as the victim of possession and exploitation delivered from the spirit. Was the girl saved? Was she freed from her owner’s oppression as well as her spirit-possession? Luke’s silence about these matters is unusual when compared to his neat method of concluding similar events.
Their charge, however, was not of robbery. Instead, Luke tells us, they adopted a tactic repeated countless times in the history of communities the world over: the appeal to prejudice against small ethnic minorities commonly known for their peculiar customs … in view of the tensions between Paul and ‘the Jews’ elsewhere in Luke’s narrative, it is important to appreciate the fact that in Philippi it was precisely as a Jew that Paul suffered.829

Luke’s story identifies the main opposition to the gospel and Paul’s reconciling practice as the vested economic interests of the girl’s ‘lords’ and the city’s recourse to Roman law (and its attendant prejudice).830 While the slave girl and the pythonic spirit discreetly disappear from the story, Paul and Silas are subjected to the force of Roman ‘justice’.831 Luke’s ‘major interest in the story’ is ‘Paul’s behaviour in response to the Roman authorities’ rather than the motives and laws governing the various officials.832 Paul’s action at this point provides the most important insight into his reconciling practice in Philippi. But does this insight arise from the reasons that Paul allowed himself to be beaten and imprisoned?833 These reasons deserve closer attention for what they reveal of Paul’s understanding of his own life and suffering (and eventual death) as shaped

829 Dunn, Beginning from Jerusalem, 673 also notes that ‘such prejudice among Roman intellectuals against the Jews for their customs of circumcision and dietary regulations is well attested for the period.’ Dunn’s conclusions are supported in the more detailed study by Rapske, The Book of Acts and Paul in Roman Custody, 120-121.

830 Even Bock, Acts, 545 concedes that ‘the real problem was not the girl but the demonic forces and desire for greed.’ Unfortunately he, along with many commentators, tend to ‘spiritualise’ the opposition in the entire episode.

831 Rapske, The Book of Acts and Paul in Roman Custody, 115 summarises his conclusions: ‘the trial account in Acts 16 is realistic: the magistrates, do not show undue favour, the ‘crowd’ plays a juridically legitimate role and the actions taken against Paul and Silas are legal.’ A number of scholars including Rapske, Witherington and Rowe have made substantial contributions to understanding Roman justice, and hence our understanding of this text, by building on earlier contributions of scholars like A. N. Sherwin-White, Roman Society and Roman Law in the New Testament (Oxford: Clarendon Press, 1963).


833 It is peculiar that some commentators are content with vague notions of Paul sensing further opportunities for mission and ministry. Peterson, The Acts of the Apostles, 468 provides an example. Few – if any – of the readers of these commentaries would consider following Paul’s example of being imprisoned in order to further the gospel!
by the life, death and resurrection of Jesus, and subsequently the role of the
Spirit in the reconciling practices of the early Christians.

The reconciled and transformed Paul, through his former role as the chief persecutor of God’s people, knows only too well that suffering for Jesus’ name can mean unjust imprisonment (Acts 8:1-3; 9:2) and might even end in martyrdom (Acts 7:55-59). Paul now learns first-hand and to his personal cost the burden of sharing in the suffering of Jesus Christ and his followers. Paul is obliged to suffer beatings and faces imprisonment for invoking ‘Jesus name’ (Acts 16:18, cf. Acts 9:16). Rapske notes the likelihood that Paul and Silas were being victimised by the Roman judicial system because they were poor (artisans), alien (Jewish) and unknown (without patronage).  

Paul even embraces false accusation while enduring beatings and imprisonment as a form of innocent suffering. Drawing on Paul’s treatment in Philippi, Tilley highlights this dimension of actual suffering by reminding contemporary readers that the Philippians knew the text of the hymn. If the Philippians were to understand the significance of their own hymn, they must live it – as modified by Paul. That’s Paul’s point. If they are to know who Christ is, they must follow Christ by living out the gospel, not suffering for the case of suffering, but suffering with and for each other.

It is probable that Paul had Jesus’ own trial and crucifixion in mind as he instructed the Corinthian church ‘be imitators of me, as I am of Christ’ (1 Corinthians 11:1). Isaiah’s hope that bonds would be loosened and prisoners set free (61:4), a promise fulfilled in Jesus’ teaching (Luke 4:16ff) was

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834 Rapske, The Book of Acts and Paul in Roman Custody, 125 shows their ‘treatment is consistent with the juridical and social assessment of the apostles as noted above; i.e., that Paul and Silas were low-status individuals safely presumed by accusation alone to be guilty of criminal behaviour.’

835 Tilley, The Disciples’ Jesus, 113.
being accomplished through Paul’s own chains. Paul accordingly ascribes theological significance to his beatings and imprisonment, understanding these as his suffering for Jesus’ name and the gospel. In Philippi, Paul repeatedly forgoes the opportunity for personal freedom resulting in his imprisonment and continued confinement (16:20-24, 16:26-28 and 16:35-37).836 In his second missionary journey and after the arrests at Philippi and Ephesus, he could easily have claimed the freedom his Roman citizenship afforded in those two cities. Instead, Paul chose to forgo that freedom and submit to beatings and imprisonment alongside those who lacked his privileged status.837

The guidance of the Spirit into the way of suffering obedience, following Jesus as costly discipleship, being an ambassador of reconciliation and the obligations to make amends, are all elements of Paul’s practice that have been neglected in contemporary analysis of Acts 16. But Luke’s portrayal is clear: costly, reconciling practice empowered by God’s Spirit transforms individuals, communities and cities. In Philippi, the gaoler and his household are saved and transformed by Paul and Silas’ commitment to Christ-like practices.

836 Tannehill, Vol. 2: The Acts of the Apostles, 198 observes ‘in Philippi Paul is twice presented with opportunities for freedom (vv. 26, 35-36) and twice refuses them.’ Peterson, The Acts of the Apostles, 467 partly recognises ‘these events vividly illustrate Paul’s own claim in his Philippian letter that imprisonment, far from being an obstacle to his mission, poses a unique opportunity to spread the gospel boldly to Roman guards and others who come his way.’

Reconciling practice with the gaoler: saving and transforming an enemy

(16:25-34)

The final vignette of the reconciling practice of Paul and Silas is the well-known account of the Philippian gaoler’s conversion. Like the faith of the centurion (Luke 7:2-10) and the recognition of Jesus’ as δίκαιος by another at the foot of the cross (Luke 23:47), the salvation brought to the gaoler and his household underlines ‘a significant shift in cultural context’. In direct contrast to the opposition of the slave owners and magistrates, the scene with the Philippian gaoler is almost ‘too good to be true’. Dunn, alluding to this critical scepticism, summarises the plot

The climactic scene is vivid (16.25-34): Paul and Silas not at all downcast; their prayer and singing hymns to God (at midnight!) holding the other prisoners’ attention (rather than inciting abuse); the earthquake leaving all doors opened and all fetters unfastened; the dramatic reversal of fortune for the jailer, who comes trembling to Paul and Silas, asks ‘What must I do to be saved?’ (16:30) and becomes a believer (16.31-33). Of course, it all sounds too good to be true.

Luke addresses none of the many questions raised by the occurrence of an earthquake which leaves the prisoners unharmed and free. Yet, those imprisoned are content to remain with Paul and Silas and not take a perfectly reasonable opportunity to escape. Tannehill contends that the focus of Luke’s story is on the gaoler who represents, and acts on behalf of,

839 Dunn, Beginning from Jerusalem, 674 thinks ‘presumably this is how the story quickly circulated within the church at Philippi, if not also further afield. And Paul would certainly see ‘salvation’ as secured through ‘belief in the Lord Jesus’, however much such belief would have to be spelled out in any particular case.’ Conversely a variety of commentators from Haenchen to Barrett have found the events recorded here, especially the rather convenient earthquake, too contrived to ring true. See Haenchen, Acts, 500-501 finds the events unbelievable. Even the usually cautious C K Barrett, A Critical and Exegetical Commentary on the Acts of the Apostles (vol. II xv-xxviii; Edinburgh: T&T Clark, 1994), 793 concedes that ‘Luke is building up a highly dramatic but not unique story. Whatever we make of the earthquake and release it is true that men in prison for their faith have praised God; this is not the point on which the historicity of Luke's story will stand or fall.’
the social, political and religious enemy. Here we must finally ask: does the reconciling practice of Paul extend to his enemies? The allusion to Jesus’ concern for the wrongdoers on the cross (Luke 23:42) has already been noted. Paul’s interaction with the gaoler demonstrates the cruciform shape of Paul’s reconciling practice. Moreover, Paul acts in faithful obedience to Jesus’ enemy-love (Luke 6:27). Paul himself becomes an ambassador of Jesus who is the ‘saving victim’ and ‘merciful judge’ (Acts 9:4). While the shame of the gaoler is a factor in Paul’s response to the man’s readiness to take his own life, the deeper motivation for his action is to testify to Jesus’ life, death and resurrection. Although Tannehill rightly identifies that ‘Paul and the narrator do not despair that God will open hearts to their message even among persecutors’, he fails to make the connection to Saul’s biography as a former persecutor whose heart was opened after his encounter with Jesus. At this point Paul was less dependent on receiving the Jesus-tradition (Gal 1:16-17) than this encounter which was while he was a persecutor (Gal. 1:13)! Luke seems to allude to these links with Saul’s own conversion in the events that follow. First, the gaoler (as the representative wrongdoer) makes amends by λούω (‘washing’) the πληγαί (‘wounds’) of Paul (as the victim), wounds that were ἐπιθέντες (inflicted) by Roman

840 Tannehill, Vol. 2: The Acts of the Apostles, 204-205 observes ‘the conversion of the gaoler is not just one more of the many conversions in Acts but the conversion of a member of the oppressive system that is punishing Paul and Silas. The earthquake gives Paul the opportunity to show this jailer the love of enemies that Jesus taught (Luke 6:27) … Paul’s attention to the welfare of another in the midst of his own suffering – somewhat like Jesus’ concern for the criminal crucified beside him – brings to the jailer a share in the salvation that God offers through Jesus.’ Peterson, The Acts of the Apostles, 469-470 affirms Tannehill’s observations of these connections in Luke’s account.

841 Gaventa, The Acts of the Apostles, 240 notes the shame and dishonour the jailer would have endured for allowing the potential escape of prisoners such as Paul and Silas. Also noted by Peterson, The Acts of the Apostles, 469.
According to Luke, these amends were made by the gaoler almost immediately, ἐν ἑκείνη τῇ ὀρᾳ τῆς νυκτὸς (‘in the same hour of the night’), and even before his baptism or the celebratory meal in his house. Second, Luke inverts the symbolism in order that Paul (now the victim) baptises the gaoler (now representing the wrongdoer) in exactly the same manner as Paul (the wrongdoer) had been baptised by Ananias (representing the victims, Acts 9:17-19).

Following the climactic celebration with the gaoler and his family, the final scene in which Paul and Silas are asked to leave the city of Philippi, is quite unexpected. Has Paul’s reconciling practice failed the test of public scrutiny? What has the Spirit achieved in Philippi apart from the relatively private conversions of Lydia and the gaoler with their respective households, and awkward deliverance of the slave girl? Luke’s story of events in Philippi concludes by returning to the theme of Spirit’s disruptive work.

Reconciling or disruptive practice? The outworking of the Spirit in Philippi (16:35-40)

I have previously explained that Jesus’ life and teaching speaks first to victims whereas Jesus’ suffering death speaks first to wrongdoers. If Jesus’ risen life speaks to victims and wrongdoers together, then it should follow that the Spirit (of Jesus) speaks to both as well. However, there is a surprising twist in Luke’s conclusion about the Spirit’s activity in Philippi. The celebration in the gaoler’s household (16:30-34) is countered by the

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842 “λοῦω,” BDAG:603 notes the added symbolism involved in these verses ‘lit. ‘by washing he freed them from the effects of the blows.’
843 Paul insists that the reconciling practice of making things right is integral to the celebration of the Lord’s supper, see 1 Corinthians 11:27ff.
opposition of the magistrates who continue to represent the owner’s economic interests which are now made more urgent by collective political interest (16:35-39). The ‘fruit’ of the Spirit’s work in bringing Paul and his circle to Philippi in order to βοήθησον ἡμῖν (‘help us’ in 16:9) has been a gospelling (ἐὐαγγελίζω, 16:10) of resistance as well as deliverance. The principal accusation brought against Paul’s activity is that it was ἐκτεράσσομαι ἰμῶν τὴν πόλιν. Bock shows that ‘the charge of ‘disturbing our city [i.e. the peace]’ … is not unlike what was said of Jesus in Luke 23:2, 5.’ As in the life and death of Jesus, the practices of reconciliation also cause social, economic and political disruption. The initial confrontation between Paul and those who owned the slave girl is extrapolated by Luke to include the entire city, represented by its στρατηγοί, who apologise so that they might leave. This is the first of the ‘public accusation type-scenes’ in Acts 16-19 revealing Luke’s ‘strong concern with the way that the outside world perceives the Christian mission.’ We must note that Paul’s reconciling practice was disruptive because, as Tannehill observes,

844 Resistance to those in authority is invariably disruptive in its outcomes. This is the conclusion of Rowe, World Upside Down, 53, 55 that ‘without question, the dominant trend in NT scholarship has been to read Acts as a document that argues for the political possibility of harmonious, coeval existence between Rome and the early Christian movement.’ After surveying the minority report (such as Horsley, Cassidy et al) Rowe concludes ‘the interpretive result of studying the Forschungsgeschichte … is thus something of a pendulum effect, in which the reader of the scholarly literature swings to and fro between passages of putative political innocuousness and purported social disruption.’ Rowe’s caution – confirming the approach I am taking here – is ‘in practice opting prematurely for either the ‘to’ or the ‘fro’ ultimately severs Luke's narrative. But of course, dismantling the unity of the narrative is hardly the way to discern the political vision of Acts as a whole.’
845 “ἐκτεράσσω,” BDAG:309 ‘as to cause to be in uproar, agitate, cause trouble to, throw into confusion.’
846 Bock, Acts, 539.
both Jews and Gentiles view the mission as a threat to the customs that provide social cohesion, to the religious basis of their cultures, and to the political stability through Caesar’s rule … caught between two suspicious communities, Paul is a troublesome outsider to both, for he advocates teachings and behaviour that threaten their ways of life.\footnote{848 Tannehill, Vol. 2: The Acts of the Apostles, 203.}

Paul stirs up further unrest when he resists the attempt by two magistrates who dispatch representatives to discreetly ‘send them on their way’ ἐν εἰρήνῃ (‘in peace’, 16:36). Paul then discloses himself as a Roman citizen securing a public παρεκάλεσθαι (‘apology, conciliation, appeasement’, 16:39).\footnote{849 “παρακαλέω,” BDAG:764. See also Dunn, Beginning from Jerusalem, 674 argues that Paul was neither ‘rubbing his persecutors’ face in the dirt’ nor ‘retrieving his own honour (cf. 1 Thess. 2.2) but establishing the status of the fragile new community, free from the spite of any other important citizens they happened to offend.’} Barrett cites Barth’s conclusion that Paul was not motivated by pride or rancour but by the ‘desire for a restoration of disrupted order’.\footnote{850 Barrett, v. 2 Acts xv-xxviii, 802. Bock, Acts, 543 also insists that ‘Paul is not a trouble-maker’.}

But again the questions arises: which interpretation offers the best explanation of Paul’s actions? Was it a desire for reconciliation or resisting the authorities knowing full well that it will provoke further disruption? Tannehill argues persuasively that for Paul ‘acts of injustice must not be allowed to masquerade as truth and justice in the public eye’.\footnote{851 Tannehill, Vol. 2: The Acts of the Apostles, 205.} Reconciling practices cannot but ‘turn the world upside down’.


mission, Luke concludes with a simple picture of Paul and Silas meeting with the believers in Lydia’s house.

McClendon. He posits only two options for those following the way of the cross and resurrection:

the policy of Christians facing the practices of their social context must fall into one of two patterns: Either they must for Christ's sake refuse to engage in those practices (and accept as their crosses the consequences of such refusal), or they must non-resistingly submit to them – yet submit for Christian reasons, with Christian intentions, by Christian means. But in the latter case submission is transformed, while in the former our very nonresistant refusal will mean the transformation of the oppressing powers, though again only by way of the cross – and the resurrection.  

At the time of his arrest, Paul refuses to exploit his citizenship to escape beatings and imprisonment. He accepts the consequences of refusal to do so. At the time of his release, Paul’s ‘non-resistant refusal’ takes the form of declaring his citizenship thereby ‘transforming the oppressing powers’. Not content with the conversion of the gaoler, Paul seems intent on transforming the governing authorities in Philippi as well by confronting their injustice. This resistance inevitably led to disruption in the social order.

The Philippi episode concludes with Paul and his circle back in Lydia’s household who are now joined by the gaoler and his household (Acts 16:40). In this text we encounter the existence of an early community dramatically reconciled across ethnic, social, psychological and cultural lines.

Luke’s account of the events in Philippi highlighted the hospitality of the Christian community in the house of Lydia and the gaoler. Echoes of the heritage of hospitality persist in some of the practices of contemporary restorative justice. But ‘because the practice has been mostly

853 McClendon, Ethics, 277.
forgotten and because it conflicts with a number of contemporary values’ these have not been specifically understood as the practice of the Christian community. In chapter 9, I will argue that the practice of ‘hospitality is not so much a task as a way of living our lives and of sharing ourselves855 that welcomes to the stranger. Embracing strangers was a central feature in Jesus’ own life, teaching and death. It required the imaginative practice of enemy-love (Luke 6). Welcoming a stranger was at the heart of Jesus’ conversation with one of the two wrongdoers on the cross (Luke 23). The best description of the risen Jesus’ encounter with Saul (Acts 9) is perhaps ‘confrontational’ embrace. Crucially and conveniently, the embrace of hospitality brings us full circle to the beginning of Part II, the father’s welcome and embrace of the Prodigal Son (Luke 15).

Conclusion

Does Acts 16 demonstrate with enough clarity the Spirit’s work within the reconciling practice of Paul and of his circle? Is their reconciling practice authenticated by the Spirit; the same Spirit that is the continuing presence of the life, death and resurrection of Jesus? The essence of my argument is a ‘yes’ to both these questions even as I draw attention to what Acts 16:6-40 does not demonstrate about the work of the Holy Spirit.

855 Thorwald Lorenzen, “Dietrich Bonhoeffer’s Legacy: Sixty Years On,” St Mark’s Review 2 (2005): 13 raises some awkward questions: who are the strangers we should welcome? Does every stranger need hospitality? Christine D. Pohl, Making Room: Recovering Hospitality as a Christian Tradition (Grand Rapids: Eerdmans, 1999), 94, 172 argues that welcoming the risky stranger must be the hospitality of the community. She notes: ‘one of the ways to reduce risk is to make hospitality more public. This is not to suggest making hospitality less personal, but rather that welcome be initiated in a public setting and sustained in less private places. Several Old Testament accounts show hospitality beginning in a public place where the community gathered regularly. The stranger was first encountered there, and then invited into an individual household.’
While Luke’s account of Paul’s journey to Philippi and Paul’s conduct during his stay in the city is resplendent with healings, miracles, dreams, visionary experiences, ecstasy and inspired utterances, my reading of Acts 16 confirms Dunn’s opinion that there is ‘nothing distinctively Christian in the charismatic phenomena themselves.’ I have argued that Paul’s willingness to endure beatings and imprisonment along with his triple rejection of personal freedom counts as evidence of his suffering for Jesus’ name in Philippi. The Spirit’s reconciling practice must include this necessary dimension of suffering discipleship. I have also shown that, for Paul, such practice involved laying aside his legal rights (privileges, entitlements) and personal freedom, while loving his enemies and being actively restored to them. Reconciling practice, however, does not allow unjust treatment to be simply ignored or dealt with privately. Conversely, it can and will disrupt social and political cohesion as unjust authority is resisted. Resistance and reconciliation inevitably lead, then, to further suffering on behalf of Jesus and his name. When put together, reconciliation and resistance are depicted as works of the Spirit in Philippi.

The Christian community of which Paul is an exemplar was committed to reconciling practices. The reconciling practice of Paul and his circle at Philippi display four of the key attributes of the Christian community.

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856 Dunn, Jesus and the Spirit, 307 because ‘when we set early Christianity in the context of its times, the full ambiguity of the charismata becomes apparent.’

community’s demonstration of its faithfulness to Jesus Christ in the largely pagan Roman world: *hospitality* (inhabiting hearts and homes); *deliverance* (disarming possession and oppression); *salvation* (forgiving and transforming); and, *resistance* (reconciling and disrupting). This view resembles that of Rowe who surveyed the relationship between the church and the world as presented in Acts. As the early church expanded across the Roman empire, tensions emerged between its mission and its witness. Rowe argues that the church adopted an approach that could be called a ‘soft difference’ between it and the Roman world.\(^\text{858}\) This is consistent with Luke’s purposes in showing the Spirit directing the apostolic leaders and the early church to extend enemy-love and proclaim forgiveness while embodying acts of reconciliation with enemies.

The implications for the distinct contribution of the Christian community for the work of restorative justice will be detailed in Part III. There I will argue that the *hospitality* of the Christian community welcomes both wrongdoers and their victims. The community promises *deliverance* for victims and wrongdoers because it respects and challenges each one.\(^\text{859}\) The *salvation* it proclaims offers forgiveness but holds people accountable as well.\(^\text{860}\)

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\(^\text{858}\) Rowe, *World Upside Down*, 5, 91, 150 regards the culture of the early church is as a new creation, but is not a revolution or seditious. The phrase ‘soft difference’ comes from Miroslav Volf, "Soft Difference: Theological Reflections on the Relation between Church and Culture in 1 Peter," *Ex Audita* 10 (1994): 15-30 and is significant for the model of Christian community explored in chapter 9.

\(^\text{859}\) A contemporary example is that of the Catholic Worker Movement described in Dorothy Day, *Loaves and Fishes* (San Francisco: Harper & Row, 1983), 86.

Chapter 8  Practicing discipleship as restorative justice

Discipleship is faithfully following the way of Jesus Christ. Some Christians ground their discipleship in the practical, earthly life of Jesus who taught victims to love their enemies. Others, in the suffering death of Jesus on behalf of wrongdoers. Still others understand it as the gifts and fruit of the Holy Spirit. Regrettably, many neglect the connection between Jesus’ resurrection and discipleship although it is only through the risen Jesus that we are able to remember and follow Jesus at all.861

The practical expression of restorative justice has been influenced by particular expressions of nonviolent discipleship. The concluding chapters will describe the marks of Christian discipleship and community that emerge from the preceding discussion of Jesus’ life of enemy-love, suffering death and risen life of reconciliation. In this chapter I will argue that following Jesus shapes individual practices of imagination, conversation and embodiment. Imaginative practices include disciplines involving remembering, seeing and desiring; conversational practices involving naming, questioning and forgiving; while embodied action involves absorbing, embracing and repairing. These nine disciplines are to be practiced by victims, wrongdoers and the community, that is, they cannot be legitimately separated. The spheres of society where these practical disciplines are most crucial and most effective are those ‘middle-levels’ of school, workplace, neighbourhood and church.

How does imagining a new way of life, speaking about that way of life and putting it into practice inter-relate? Although the complex

861 Lorenzen, Resurrection and Discipleship, 245-246.
connections between human thinking, speaking and acting cannot be fully
described here, I would argue that theology has not always recognised the
critical dialogue between beliefs and practices. I believe a correlation
exists between Jesus’ teaching and the imagination; between Jesus’ death
and the language of faith and discipleship; and, between Jesus’ risen life and
embodied action and Christian living.

Disciplines of the imagination

Following Jesus must be imagined, articulated and practiced in order for
discipleship to be a lived reality. Christian imagination is fundamentally
shaped by its vision of Jesus. Imaginative discipleship relates specifically to
the life of Jesus. It recognises that his enemy-love and teaching about
forgiveness ordered the coming of the kingdom of God. Jesus’ words
inspired the imagination of his first hearers as he spoke of God’s kingdom
in a manner that created new identities, forged new relationships and built
communities of conviction. An imagination captured by Jesus’ vision of the
kingdom of God will display the following three traits which are integral for
practicing discipleship as restorative justice. They are remembering, seeing
and desiring.

Remembering

Imaginative remembering means remembering without blaming for the
victim, remembering without evading for the wrongdoer, and remembering

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\textsuperscript{862} Volf, "Theology for a Way of Life," 126-127.

\textsuperscript{863} Although these connections suit my purposes which is to connect the biblical and
theological discussion from the previous chapters with the present chapter my argument is
not dependent on a precise correlation which might, in any event, be considered rather
arbitrary.
without abandoning for the community. There are many reasons explaining why Christians fail to imitate Jesus in loving their enemies; fail to obey his specific teaching regarding the slap, cloak and loan (Luke 6); and, fail to follow his example of forgiving the wrongdoing of others. An often overlooked aspect of these failures is the disciples’ poor memory of Jesus’ life and teaching. Jesus’ enemy-love was a defining characteristic of God’s kingdom because it reflected the very nature of God. Recovering it begins with the imagination of his disciples.

For the victim, imaginative remembering is remembering without blaming. Jesus teaches his followers to bring to mind their enemies with a blessing and a prayer (Luke 6:28). He remembers his own enemies by naming (Acts 9:4) and forgiving (Luke 23:34) their wrongdoing. The proper naming of wrongdoing is essential to forgiveness. The disciplined imagination retains those memories that name the wrongdoing but rejects those memories that blame the wrongdoer. Otherwise a victims’ memory can breed bitterness, harbour malice and make forgiving more difficult. Even after relatively trivial offences, the victim’s recollection of the wrongs they have suffered can become exaggerated. For example, some victims imagine the wrongdoer had ulterior motives or imagine the wrongdoer is inherently evil. When this exaggeration occurs, remembering becomes more concerned with laying blame than with truthful recollection. Another example, taken from the opposite end of the spectrum, such as horrific offences involving violence against a person, is the tendency of some victims to suppress or internalise the memory of being wronged simply in
order to survive. Internalised, suppressed and exaggerated forms of remembering remind us that the memory of victims is not always reliable. Subconsciously, the victim sifts memory for ‘evidence’ in order to prosecute the case against the wrongdoer or to falsely blame themselves. Volf argues that memory itself needs to be redeemed in order to ‘reach its ultimate goal in the unhindered love of neighbour’. A necessary part of redemption for the victim is the discipline of remembering without blaming. This first imaginative step extends to the wrongdoer the gift of existing as if if the wrong had never been committed. It would be reckless and even dangerous counsel to expect that victims remember without blaming if the memories of the wrongdoer and the wider community are not also similarly redeemed.

For the wrongdoer, imaginative remembering is remembering without evading responsibility. The request of the second wrongdoer crucified beside Jesus illustrates this principle. Without seeking

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864 Emerging research in the field of trauma recovery is helpful here. Survivor’s memories of significant traumas are often episodic (if the incident is remembered at all). Cynthia Hess, "Traumatic Violence and Christian Peacemaking," in The New Yoder (ed. Huebner; Eugene: Cascade Books, 2010), 197 notes that: ‘Scholars and clinicians who study trauma (‘trauma theorists’) describe it as an overwhelmingly stressful event that assaults a person and then moves into their body, mind, and soul. This internalisation of traumatic violence manifests itself in a variety of ongoing effects, which themselves can be experienced as traumatic. For example, people who have endured traumas such as war and physical assault often remain haunted by these events long after they have ended, reliving them in nightmares, intrusive memories, and flashbacks. Their bodies and minds continue to hold within them the reality of this violence as ever present, even as they move through time.’

865 Volf, The End of Memory, 35, 65, 69, 94 provides an excellent theological account of the victim’s memory that he hopes might regulate ‘how we remember wrongs suffered in our everyday lives.’ See further Paul Ricoeur, Memory, History, Forgetting (Chicago: University of Chicago Press, 2004), 56-124 who also provided a comprehensive account of the ‘uses and abuses’ of memory.

866 Volf, The End of Memory, 65 observes that ‘the purpose of truthful memory is not simply to name acts of injustice, and certainly not to hold an unalterable past forever fixed in the forefront of a person's mind. Instead, the highest aim of lovingly truthful memory seeks to bring about the repentance, forgiveness and transformation of wrongdoers, and reconciliation between wrongdoers and their victims. When these goals are achieved, memory can let go of offenses without ceasing to be truthful.’

867 Volf, Free of Charge, 175.
to evade responsibility for his actions he simply asks to be remembered by Jesus (Luke 23:41-2). For the wrongdoer the discipline of remembering begins with admission. This is a pre-requisite in most restorative justice conferences. Wrongdoers are not remembering truthfully if they deny responsibility for their wrongdoing. To remember rightly, however, is far more demanding than a mere admission of guilt. Listening carefully to the words of many wrongdoers (including ‘apologies’ I have offered to my own partner and children) highlights the evasiveness of memory. Many attempts to admit wrongdoing, including most carefully crafted apologies which are stage-managed by or for the media, are built on or surrounded by excuses, rationalisations and justifications such as ‘I never meant to hurt anyone’. In the very act of appearing to accept responsibility, the wrongdoer deftly evades it. The most effective way of challenging this evasion is to pose challenging questions. The right questions ignite the wrongdoer’s imagination and take them beyond possible feelings of shame or superficial notions of guilt. Such questions lead wrongdoers to see themselves and others differently and help with remembering truthfully.

Imaginative remembering must also be done without the wider community abandoning either the victim or the wrongdoer. Many communities seeking peaceful relationships prefer to ‘forget’ wrongdoing prematurely. This tendency is prevalent particularly among Christians where the popular mindset insists that victims must ‘forgive and forget’ or where the wrongdoer is ostracised for their behaviour. In both instances the hope is that past wrongs will be quickly forgotten and ‘normality’ allowed.

At this point misguided restorative justice facilitators search for the appropriate signs of shame and if there is no evidence resort to ‘shaming’ the wrongdoer because they have misunderstood the role of shame, discussed in chapter 1.
to return. Imaginative remembering ensures that the community does not abandon the victim or the wrongdoer through forgetfulness nor will it neglect the essential goals of reconciliation and justice. Imaginative remembering recognises and challenges covert strategies of blame and evasion, and guards against the inclination of both the victim and the wrongdoer to ‘revise’ their memories of what happened for their own advantage and benefit.

The practice of imaginative remembering I have described for the victim, the wrongdoer and the community enables everyone to see more clearly. Wrongdoing that is remembered without blame or evasion allows victims and wrongdoers to see themselves and each other with greater clarity. The insights gained from remembering well also prevent victim and wrongdoer from ‘disappearing’ from the life of the community.

Seeing

Imaginative seeing enables better visibility for the victim; encourages greater accountability for the wrongdoer; and, ensures deeper respect within the community. Jesus teaches his followers to recognise that their adversaries are neighbours, guests and potentially friends who can be loved rather than regarded as enemies who must be defeated (Luke 6). Jesus saw his own opponents in the garden and from the cross in this manner (Luke 22-3). Saul’s dramatic encounter with the risen Jesus was first accompanied by a radical loss of sight. Once the ‘scales fell from his eyes’ and he was ‘re-sighted’ (ἀνεβλεψεν, lit ‘re-visioned’, Acts 9:18), Saul saw things very differently: his own life and calling, Jesus, and the disciples in Damascus. Each were radically re-vised.
For the victim, imaginative seeing enables better visibility because victims see themselves more clearly. Many victims report a continuing sense of invisibility after they have told their story. The story of the slave girl delivered from the spirit in Acts 16 ends abruptly and she quietly disappears from Luke’s story. She perhaps serves as a reminder that listening to victims is only the first step. Many processes in restorative justice, and more broadly in the therapeutic disciplines, emphasise the importance of respecting the victims by listening to their story. Some victims find healing through having their stories heard by family members, friends, professionals, church groups and sometimes (when appropriate) the wrongdoer. Victims also say they feel invisible again after telling their story. Imaginative discipleship enables victims to see themselves more clearly so that others can both hear and see them more clearly as well. The victim’s need to be heard and seen is illustrated by the testimony of a remarkable survivor who shared her story with a group of restorative justice theologians and practitioners. While relaying her account of the wrongdoing, the victim referred repeatedly to what had happened to her as ‘my crime’. Her language was precise and carefully chosen. The wrong that had been done to her could not be remembered from a safe distance. But her language was unsettling for those of us listening to her testimony. Did it represent some kind of ‘Stockholm Syndrome’ where the victim had become dependent on, even grateful for, the abuse and wrongful acts

869 Restorative justice is intentional about taking the needs of victims seriously. In most contemporary restorative justice processes, the victim’s need to be heard and understood is of paramount importance and given priority. Listening, understanding and respecting the victim’s story are essential to the efficacy of the process.

870 The testimony was part of Myers and Enns, "Restorative Justice Report: The January Bartimaeus Institute," the discipline of imaginative seeing is demonstrated by a number of the case studies in Myers and Enns, *Ambassadors of Reconciliation II.*
perpetrated against her? Certainly not in this instance. This woman confidently asserted that she was ‘so much more than my crime’ as well. I found her insight remarkable. She saw that what happened to her was irrevocably part of ‘her story’ but ‘her story’ was immeasurably more than what happened to her. This ‘double vision’ transcended the usual dynamics of a restorative justice process where participants are encouraged to speak and listen in order to be heard and understood. A story told with imaginative seeing transformed her into someone with a presence that demanded respect: she was anything but invisible! Her imaginative seeing was irreducibly part of her conversations about the past and openness to the future. This power of sight is the gift of the risen Jesus enabling victims to re-imagine themselves loving an enemy and forgiving the wrongdoer. Forgiveness is essential to sight and understanding. In her acclaimed novel Home, Marilyn Robinson observes that ‘until you forgive, you defend yourself against the possibility of understanding … if you forgive … you may still indeed not understand, but you will be ready to understand, and that is the posture of grace.’

For the wrongdoer, imaginative seeing encourages greater accountability. The power of sight given by the risen Jesus is the terrible gift of insight. Saul encountered the crucified and risen Jesus on the road to Damascus as a merciful judge. Jesus’ judgment that Saul was persecuting him forced Saul to see his actions as wrongdoing in need of forgiveness. Jesus’ practical instructions for victims on how to love an enemy through receiving another slap, offering a cloak and not recalling a loan are also a challenge to the wrongdoer who doing is these things (Luke 6:29-30, 35).

Following Jesus’ teaching unmasks injustice and challenges wrongdoers to recognise their actions as wrong and to become accountable for their wrongdoing. Without the discipline of seeing, wrongdoers might exploit the slap, cloak and loan mentioned by Jesus as an opportunity for doing further wrong. For example, when restorative justice processes are entirely dependent on the therapeutic outlook, a wrongdoer’s story might retain its excuses, self-justification and evasion of obligation.\footnote{I remain unconvinced that the theory of re-integrative shaming is an adequate tool for holding wrongdoers accountable for their actions.} The discipline of seeing prevents the wrongdoer’s evasion and protects other potential victims.

For the community imaginative seeing ensures deeper respect for both parties. The community sees that its stereotypes of ‘victim’ and ‘offender’ fail to give due regard to their stories, life experiences and personality. Collective imaginative sight ensures that the victim does not become invisible nor the wrongdoer unaccountable. At their best, the Truth and Reconciliation Commissions and courts across Africa during the last two decades have demonstrated the possibility that the imaginative vision of the community can engender respect.\footnote{The deliberate inclusion by Nelson Mandela of his gaoler in the public celebrations following his inauguration as President of South Africa was a striking symbol of such respect.} A community that sees beyond stereotypes and that respects individual worth and dignity offers yet another gift to the victim and wrongdoer, namely, being able to see the other person in a new way. Revisioning of stereotypes leads to better vision for everyone. For Jesus’ followers, each will be illuminated by the light of God’s kingdom shaped by forgiveness and redemption.
Desiring

The third imaginative discipline is complicated by the fact that our individual and collective desires involve more than memory and sight. The victim’s desire for forgiveness and the wrongdoer’s desire to make amends and the community’s desire for both justice and reconciliation appear to be paradoxical.

The victim’s desire to forgive is a conundrum because forgiveness is both a gift to be freely offered and, because forgiveness ‘uses you up’, a cost to be absorbed. Jesus’ parable of the prodigal son illustrates this truth as the forgiving father risks his relationship with the elder son in order to forgive his younger brother (Luke 15). The agony faced by Jesus in the garden the night before his death is the most profound biblical expression of this conundrum. He willingly offers his life as a gift and absorbs the cost by his death (Luke 22). Rembrandt’s portrayal of the forgiving father and the image of Christ’s broken body on the cross vividly relate these two stories. Theologians provide a simplistic solution when they neglect either the cost of forgiveness or its essential character as a gift. Most victims intuitively sense that forgiveness is neither free to offer nor easy to give. They instinctively recognise that forgiveness cannot be forced. This simple truth is witnessed by any parent who has asked a child to apologise to their sibling and then required that the apology be met with forgiveness by the sibling. Restorative justice theory respects the nature of forgiveness as a gift by not obligating victims to forgive the wrongdoer during the conference process. In some forms of restorative justice practice the possibility of forgiveness is not even considered. But many victims, especially Christians, do not want to relinquish their desire to forgive even
when forgiveness seems improbable. A victim’s long journey toward forgiving their wrongdoer can be sustained and re-ignited by remembering Jesus’ life, death and resurrection. By showing mercy and compassion, victims reflect God’s character and thereby attain the full stature of human dignity. The cost of forgiveness is absorbed by Jesus’ death in a manner that is fundamentally different from the costs borne by the victim. I have argued that forgiveness is a resurrection act. Whenever a victim forgives, therefore, it may lead to the ‘salvation’ of the wrongdoer. But only the risen Jesus is the saving victim: wrongdoers are saved through Jesus’ death and resurrection and no other. Because Jesus’ death has already absorbed the cost, the cost of forgiving is not borne alone for a victim who is united to Christ. Their gift of forgiveness is potentially the gift of salvation and new life offered in the name of the risen Jesus. Just as the risen Jesus’ gift of forgiveness to Saul on the Damascus road was given in his name (9:4) and received as salvation and new life (Acts 9:17-18), Paul’s gift of forgiveness to his Roman gaoler in Philippi was given in Jesus’ name. This gift was received by the gaoler as salvation. It imparted new life to him and his household (Acts 16:30-33). The suffering experienced by the victim becomes redemptive, therefore, when it is united to Jesus’ suffering on the cross.

The wrongdoer’s desire to make amends is effectively a conundrum because acts of restitution do not effectively repair harm without prior reconciliation with the victim. Restitution that is offered before or without reconciliation does not make amends. In fact, restitution offered in these circumstance is hard to distinguish from either punishment or a ‘bribe’ designed to evade punishment. For example, the compensation offered by a
rich wrongdoer who ‘wins’ the silence and cooperation of their poorer
victim is a gross perversion of restitution. This act does not come from a
genuine desire to make amends but a cynical attempt to avoid full
responsibility for wrongdoing. Another perversion exists when a wrongdoer
tries to escape punishment by offering mere tokens by way of amends. Too
many so-called ‘apologies’ made by wrongdoers fall into this category. For
example, the apology of the young child to their sibling, watched over by a
parent and made through clenched teeth, does not make amends in any
meaningful sense. It is evident that the parents have settled for tokens of
‘peace’ and ‘reconciliation’ when they threaten sanction or punishment if
the children cannot ‘get along’ with one another. Tragically, the charade is
not confined to the homes of families with squabbling children. It is
repeated in reparations based on tokens of reconciliation ordered by
tribunals, family courts, workplace arbitration panels, principals’ offices,
CEOs and pastors. An honest desire to make amends can only emerge when
wrongdoers have truthfully remembered their acts as wrongdoing (that is,
without evading responsibility) and truly seen themselves and their victims
in the light of that memory. The wrongdoer must defer the offer of
restitution until reconciliation has been achieved. After reconciliation with
the risen Jesus, Saul’s immediate priority was to be reconciled with Ananias
and the other disciples in Damascus (Acts 9). Restitution emerges from the
context of reconciled relationships. Only then will it truly make amends.

The community’s desire for reconciliation is not, of course,
the same as its desire for justice. The community should aim to restore
relationships although reconciliation does not ensure that justice has been
done. As Volf has observed, there is an important sense in which the desire
for reconciliation *transcends* justice before it can be fully achieved. This is because a commitment to ‘justice first, then reconciliation’, will invariably be consumed by the demands of justice.\(^874\) It is my contention, however, that a more complete and lasting justice emerges from reconciled relationships in the form of restitution. The community’s desire for reconciliation and justice must be inextricably connected to the victim’s desire to forgive and the wrongdoer’s desire to offer restitution. Since forgiveness is the justice of God, without forgiveness there can be no reconciliation, and without forgiveness and reconciliation, restitution loses its power to restore.\(^875\)

An imagination disciplined by Jesus in the way it remembers, sees and desires, encompasses the first set of practices for discipleship as restorative justice. But faithful discipleship must be articulated and embodied as well. The conversational disciplines are considered in the next section.

*Disciplines of conversation*

The importance of conversation for Jesus, who throughout his public ministry trained his followers in discipleship and mission via a conversational approach, has not received sustained theological

\(^{874}\) One of the fundamental errors of theologies of liberation was their theological commitment to justice first, then reconciliation. One of the tendencies of theologies of reconciliation is to neglect the demands of justice as argued by Hough, "Restorative Justice and Restorative Theology: A Dialogue" (thesis).

reflection. \(^{876}\) Significantly, the conversation between the risen Jesus and the disciples on the road to Emmaus (Luke 24) is the most poignant and theologically rich expression of the practice. \(^{877}\) Here, however, I will focus on Jesus’ conversational practice in the events leading to his death. Jesus’ words, mostly expressed as prayers, involve naming, questioning and forgiving wrongdoers.

**Naming**

Conversational discipleship practices begin with naming (or judging) wrongdoing and are expressed by the victim as *testimony*, by the wrongdoer as *confession* and by the community through *transparent* lives.

The victim needs to remember wrongs suffered without blaming, but they must still name those wrongs publicly. A victim who belongs to a community where a commitment to justice and reconciliation is respected will not be abandoned but will be encouraged to speak honestly and fearlessly. When the wrongdoer sees the action clearly and its impact vividly, and does not evade responsibility, the victim can then share their

\[^{876}\text{See further Broughton, "Authentic Dialogue: Towards a Practical Theology of Conversation" (thesis). See also Banks, Re-envisioning Theological Education, p. 106 notes that ‘almost anything could become grist to Jesus’ mill – personal or group failure, inappropriate ambition and conflict among his followers, the presence or appearance of small children, a prostitute or sick person; everyday objects and activities in the home, fields or countryside … Jesus relied mostly on dialogue, not presentation … he also encouraged non-formal learning (Mark 9:33-37) often when he was eating and drinking with his companions (Mark 14:17-21).'}\]

\[^{877}\text{Ched Myers, "Easter Faith and Empire: Recovering the Prophetic Tradition on the Emmaus Road," in Getting on Message: Challenging the Christian Right for the Heart of the Gospel (ed. Laarman; Boston: Beacon Press 2006). ‘First, the distinctively Lucan verb for ‘discussion’ in vv 14 & 15 is *hoomilein*, from which we get our term homiletics. It appears only two other times in the New Testament, both in Acts: in Acts 20:11 it describes Paul’s sobering farewell sermon at Troas, a serious through-the-night conversation about how the young movement would survive; in Acts 24:26 it refers to Paul’s conversations with the Roman governor Felix concerning ‘justice, self-control and coming judgment’, a discussion, we are told, that scared the ruler to death. *Hoomilein* refers to weighty matters, then, not light banter! Moreover, in the New Testament the verb *suzeetein* almost always connotes a passionate dispute, while the phrase ‘all the things that had happened’ in Lk 24:14 refers elsewhere specifically to the arrest, trial and execution of Jesus.’}\]
testimony with confidence. The victim’s version of ‘what happened’ is a fundamental component of the restorative justice process. The script used in some conference settings provide a series of questions for the victim including, ‘what impact has this incident had on you and others … [and] what has been the hardest thing for you?’ By simply asking these questions, and listening attentively to the answers, the victim’s need to be heard and understood is affirmed. Here some of the therapeutic professions exhibit the ‘best practice’. Regrettably Christian communities, particularly in their institutional form (‘the Church’), have frequently failed victims by not providing sufficient time or a safe space for victim’s stories to be relayed. Worse than the failure to listen is the indefensible pressure placed on some victims to remain silent. In too many cases it has been the courage, determination and commitment of victims to speak their truth that has forced a reluctant Church to listen. I have argued that on the Damascus road the crucified and risen Jesus spoke on behalf of Saul’s silent victims by naming Saul’s wrongdoing as persecution (Acts 9). This must be emphasised: God hears the victim’s testimony even when God’s people are indifferent, reluctant or negligent in doing so. The victim’s story becomes a testimony when the wrongdoing is named before God who is the final Judge. In the garden and from the cross Jesus demonstrates faith in God as Judge. His words included prayers such as ‘not my will, but yours’ and ‘forgive them, Father’ and ‘into your hands I commit my spirit’. Jesus also names the power (of darkness) that crucifies him and by submitting to the power exposes its pretension (Luke 22:53). I have observed that Luke concluded his account of Jesus’ death with a group of women and friends who stand in silence. Since they could not make any sense of this event, it
was a fitting response. A short while later they would give their testimony to Jesus’ death and his subsequent resurrection appearances but even then the Twelve would find their ‘story’ incredible, almost unbelievable. God’s judgment on wrongdoing is announced in Jesus’ death and resurrection.

God’s judgment in Jesus Christ is a verdict of ‘yes’ that cancels the ‘no’ of wrongdoing. Victims hear God’s emphatic ‘no’ to the wrongs they suffered when and as they testify to what they have suffered. Theologically, testimony transcends storytelling because God judges wrongdoing. There is a further practical consideration. We tell stories to make sense of past events and make our lives meaningful. But the wrong suffered by some victims is simply inexplicable. In these instances, stories seek to impose meaning where there is none. The category of ‘testimony’ protects this kind of wrongdoing from superficial explanations and the coherence enforced by a narrative. Testimony allows victims to simply tell God and others what happened without the need for it to make sense.

When victims are denied the opportunity to speak truthfully, the result can be further wrongdoing. A remarkable expression of solidarity with silenced victims in the Christian tradition emerges in places like Latin America. In circumstances where victims have no voice of their own, the challenge is for other Christians to name wrongdoing and to expose injustice. The testimony offered on behalf of silent victims transcends the boundaries of the personal and inter-personal. Public testimony exposes social and political wrongdoing. But such wrongdoing will resist being

named as wrong. As Paul in Philippi, William Wilberforce in London, Martin Luther King Jnr from Birmingham gaol and other figures involved in nonviolent direct action have discovered, disturbing the peace is often the first step towards reconciliation and justice. Speaking on behalf of victims in the prophetic tradition of Isaiah, Jesus, and Oscar Romero, naming the social and political wrongs in the world, invariably provokes a hostile response. Such prophets are labeled troublemakers. The untimely deaths of these figures stand as stark reminders of the disruptive power of public testimony.

When the wrongdoer hears the testimony of his victim, the faithful follower of Jesus responds with confession rather than hostility. The wrongdoer remembers what happened without evading their responsibilities. The community encourages the wrongdoer to be publicly accountable so that the wrongdoer is not abandoned, but respected. All this enables the wrongdoer to speak honestly about the wrongs they have committed. Their admission of wrongdoing is called confession in theological language and has three main components. The first is confession to one another. For those living together in community at Bonhoeffer’s alternative seminaries, publicly confessing to one another was the only valid kind of confession.

Such confession must be carefully distinguished however, from rituals of public shaming. In confession the wrongdoer takes the initiative by

879 Bonhoeffer, DBWE 5:108-110 considers ‘only another Christian who is under the cross can hear my confession. It is not experience with life but experience of the cross that makes one suited to hear confession … [and] views me as I am before the judging and merciful God in the cross of Jesus Christ. When we are so pitiful and incapable of hearing the confession of one another, it is not due to a lack of psychological knowledge, but a lack of love for the crucified Jesus Christ.’ See also a sermon he preached in London on Reformation Sunday (4 November 1934) in Bonhoeffer, DBWE 13:399 where he asserted ‘it does nobody any good to protest that he or she is a believer in Christ without first going and being reconciled with his or her brother or sister – even if this means someone who is a nonbeliever [gottlos], or another race, marginalised or outcast.’
accepting responsibility for the wrongdoing.\textsuperscript{880} The second aspect is to include sins of omission (such as failing to choose right or proper actions) as well as sins of commission. Confession that includes the failure to do the right thing can be more truthful about wrongdoing suffered by victims. For example, when I apologise for my words because ‘my tone was rude and demanding’ I am really only confessing part of the wrong experienced by my victim. I am more truthful when my confession includes ‘I failed to treat you with respect’. The third aspect of confession is confessing wrongs as sin. This acknowledges God’s desire for victims to be healed and transformed and wrongdoers to be saved and reconciled. Healing and salvation, transformation and reconciliation, are central to Jesus’ purpose in Luke-Acts.

What kind of community enables the testimony of victims and the confession of wrongdoers? What kind of community allows conversation to include these difficult matters? I offer only a partial answer which I will develop further in the next chapter, that is a community committed to \textit{transparent living}. Contemporary ethicists describe the ‘sunlight test’ for moral decision-making. Before an action is taken the person is asked to imagine its full exposure before family, friends and colleagues. Only actions that would still be taken with this kind of intense scrutiny ‘pass’ the sunlight test. This metaphor indicates the kind of transparency required for the difficult conversations within a community about past wrongs. As noted, institutional forms of Christianity have often

\textsuperscript{880} As a speech act, confession is essentially \textit{commissive}; that is, I commit myself to something by making my confession.
failed to be transparent about wrongdoing in their midst. The most obvious failure in transparency is the lack of rigorous questioning.

**Questioning**

The next conversational practice proposed is questioning. This is controversial because, in the aftermath of wrongdoing, the victim will often hide, the wrongdoer be increasingly deceptive and the community will become cautious. The right kind of questions will *unveil* the victim’s experience, *unmask* the wrongdoer’s excuses and *unsettle* any complacency within the community.

An adversarial approach to justice presupposes winners and losers. This subverts the questioning process and turns it into a cross-examination of the victim. This is wrong. A victim needs the questioning process to be safe and respectful. It must proceed differently to an interrogation. A safe context is created for the victim when they feel respected, heard and understood and where they are seen as more than a victim. In this environment the right questions will help *unveil* the victim’s experience.\(^\text{881}\) Restorative justice is attentive to the danger of victims being re-victimised in the quest for reconciliation. It has led some critics to be suspicious of the value of the conference process for victims. Do victims really need ‘parallel systems of justice’ after all?\(^\text{882}\) The emerging field of trauma studies has shown that victims need time to process their experience and to integrate what happened into their life story in a satisfactory way. Why do some victims remain stuck in the past and never experience real

\(^{881}\) Good questions include ‘what impact has this incident had on you and others?’ and ‘what has been the hardest thing for you?’

\(^{882}\) Herman, *Parallel Justice.*
freedom? I have suggested that remembering wrongly, seeing incorrectly and misplaced desire might be contributing factors. But in order to survive, some victims erect an impenetrable wall around their experience. The wrongs they suffered remain ‘off limits’ even to family, friends, supportive professionals and others who desire only what is best for them. If the truth ‘sets people free’ as Jesus claims it does, then victims do not need to fear the truth. When surrounded by genuine community, the victim stands the best chance of discovering the truth that can liberate them.883 A trusting circle can unveil the truth through gentle, probing questions that bring freedom. Different contexts determine whether or not it is appropriate for the wrongdoer to be part of that circle.

The persistent gaze of a circle of trusted friends and colleagues will also unmask the evasions and excuses of the wrongdoer. The wrongdoer is interrogated about their actions with a style of questioning that owes more to the tradition of Socratic inquiry than the investigative techniques of the Secret Service.884 Critics of restorative justice accuse the movement of being too lenient towards wrongdoers. These critics display little appreciation of the power of the right questions to unmask the wrongdoer.

The questions posed to wrongdoers often evolve through several stages. The first stage involves the questions customarily asked by police officers or the courts in order to establish guilt. The wrongdoer is

884 Examples from scripted restorative justice conferences include ‘What were you thinking of at the time?’ ‘What have you thought about since?’ and ‘who has been affected by what you have done? In what way?”
rarely probed about other matters, such as motivation (why did you do it?), impact (who is affected?) and restitution (what do you need to do to make things right?). It may be appropriate in the second stage, where more searching questions are posed, for the immediate victim to be present and to put their questions directly to the wrongdoer. Some victim advocates believe this is the most valuable part of the conference process because it provides the victim with some answers. Facing these questions can be very difficult for the wrongdoer with nowhere to hide. They must directly face the suffering and anger of the victim and explain themselves and their actions. The Truth and Reconciliation Commission in South Africa and Gacaca Courts in post-genocide Rwanda, demonstrate the powerful impact of victims facing their wrongdoers and asking hard questions. The third stage is where the deepest questions expose fundamental convictions. These questions imitate the Ignatian spiritual practice of *examen* which seeks to unmask previously hidden assumptions, convictions, habits and life patterns. As a spiritual exercise the questions (and what they reveal) deliberately and consciously lead to repentance. The idea of re-thinking, or

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885 Other benefits for the victim in facing their wrongdoer and asking questions include overcoming the fear of meeting the wrongdoer, feeling empowered, and hearing an explanation for what happened. An example of interrogative questions used a restorative conference for a drug court is provided by Kris Miner, "Strategic Use of Questions, When Facilitating Talking Circles," *Restorative Justice and Circles* available from <http://circlespace.wordpress.com/2010/08/30/strategic-use-of-questions-when-facilitating-talking-circles/> (Date accessed: 17 September 2010). Miner identifies four phases of questions: ‘Phase One: If you weren’t here right now, where would you be? Who is your favorite super hero and why? What is something you have always wanted to learn? Phase Two: What is something you are good at and how did you learn how to do it? What is a valuable lesson you had to learn “the hard way”? What is your most prized possession and why? Phase Three: How do you get support/ what fills your spirit? What do you do when you are faced with an uncomfortable situation? (Triggers, cravings, etc.) How do you think the community is affected by drug use? Phase Four: What do you plan to do each day to honor your commitment to staying sober? (Honor any commitment you have made). How can you support others in Drug Court? (Others you are involved with). What is one thing you will take away from tonight’s circle?

886 This facet was portrayed clearly in the Australian context through the documentary by Zeigler, *Facing the Demons*. 
the act of changing one’s mind, are at the heart of biblical repentance. More popular notions of repentance, such as changing one’s direction or allegiance are the secondary, albeit necessary, consequences of changing one’s mind. What conditions, then, are conducive to wrongdoers thinking differently about their convictions? Recent research across a number of academic disciplines points to the important role played by conversation in this respect. Restorative justice conferencing is increasingly aware of the dynamics of conversation between the victim, the wrongdoer and the wider community and its potential for producing profound outcomes.

The participation of the wider community in these conversations is critical in guarding against communal indifference towards, or neglect of, past wrongs leading to opportunities for further wrongdoing. For example, some communities are prone to scape-goating the wrongs that have occurred in its midst. Religious groups that place a high value on ethical conduct are particularly susceptible to this kind of collective blaming. We might think here of Taylor’s ‘my enemy is to blame’ observation. This type of ‘cleansing’ rarely leads to lasting wholeness. The communities of Jesus’ disciples need to respond differently by subjecting themselves to the same rigorous questions as the wrongdoers. The questions it customarily asks itself after wrongdoing such as ‘who is responsible?’

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888 Mark S. Umbreit and Marilyn Peterson Armour, *Restorative Justice Dialogue: An Essential Guide for Research and Practice* (New York: Springer, 2010), 18-21 analyse four types of dialogue in restorative justice practice (mediation, conferencing, circles and reparative boards) that involve different levels of questioning. This is an encouraging development in restorative justice as it moves away from its dependence on theories of shame and affect for change. See my previous discussion in chapter 1 for my critique of current restorative justice approaches to the wrongdoer’s change.
and ‘how should we respond?’ are clearly not enough. The community must also be prepared to undergo *examen* itself: ‘how has our life together allowed this to happen?’ and ‘what changes do we need to make to prevent this from happening again?’ In the wake of clergy abuse scandals there are promising signs that the more institutional churches are prepared to ask these harder, deeply *unsettling* questions, and to then make the necessary changes. Reconciling communities nurture the time and space for conversations where difficult questions can be posed to wrongdoers, victims and other members of the community. The discipline of questioning for all these groups creates the fertile soil in which forgiveness may eventually take root.

**Forgiving**

Volf rightly argues that the essence of forgiveness is its *giftedness*.\(^889\) Forgiveness is a gift for the victim to *offer*, for the wrongdoer to *receive* and for the community to *nurture* and *celebrate*. Why should a victim be asked to offer a gift to their wrongdoer, particularly when the gift of forgiveness is ‘the gift of existing as if they had not committed the offence at all’? Yet, the articulation of three words ‘I forgive you’ can potentially restore the fundamental human relationship between ‘I and Thou’ described by the philosopher Martin Buber.\(^890\) The possibility is entirely dependent upon the word ‘forgive’ being spoken within relationships fractured by wrongdoing. Desmond Tutu’s proclamation that there is ‘no future without forgiveness’ is more than just a preacher’s rhetoric. It reflects the wisdom of a pastor-


theologian who knew that the only way to restore relationships in his broken and divided nation was through forgiveness. The reconciliation he envisioned transcended both Taylor’s religious outlook of ‘my enemy is to blame’ and the therapeutic outlook where ‘no-one is to blame’. I have argued that the victim’s desire to forgive needs to be nurtured. It is articulated first as a prayer for God to forgive the wrongdoer. The prayers of Jesus (Lk 23:34) and Stephen (Acts 7:60) indicate that God’s readiness to forgive precedes that of the victim (Luke 6:36). But what conversational discipline enables a victim to offer the gift of forgiveness? A wrongdoer’s *concession* makes forgiveness easier but the wrongdoer’s repentance is not essential for the gift of forgiveness to be offered by the victim. Indeed wrongdoing must be properly named before forgiveness is offered. The victim’s testimony grounds the practice of forgiveness in actual people and concrete events. Beyond all these preparations forgiveness remains a gift however. It cannot be demanded, processed or earned by hard work. Forgiveness as a gift is also an act of grace. As a resurrection act it is God’s way of breathing new life into dead relationships.

Forgiveness is experienced as a lifeline to wrongdoers who desire this gift of new life. It brings hope to those who long to exist as if they have never committed the offence. But what conversational disciplines are needed for such a gift to be offered and received? The disciplines of imagination prepare the wrongdoer to receive the gift of forgiveness rightly.

What language is adequate for receiving the gift of forgiveness? In Luke’s account of the wrongdoer crucified beside Jesus, or his description of Saul on the Damascus road with the risen Jesus, no words of forgiveness are exchanged. In both instances forgiveness is implied rather
than spoken. This demonstrates that the ‘language’ for receiving forgiveness actually transcends verbal exchanges. Saul’s forgiveness is received in silence, through baptism, as recovered sight and in an apostolic life of suffering for the name of Jesus. The ‘language’ of forgiveness received is the transformed life of the wrongdoer and his or her acts of restitution.

The role for the community is to nurture and celebrate this gift of forgiveness. The difficult task of giving and receiving forgiveness should not be an overwhelming burden for victims and wrongdoers. Forgiveness brings new life between victims and wrongdoers and within the community as well. Forgiveness is a resurrection act and communities have always nurtured and celebrated new life. The community of God’s people in both the Old and New Testaments remembered God’s forgiveness through celebratory meals: the Passover and the Lord’s Supper.891 Luke concludes the forgiveness and conversion of Lydia and the gaoler in Philippi with the hospitality of a shared meal. Forgiveness fails if it is merely implied. Even the utterance ‘I forgive you’ can fail to restore relationships. This points to the reality that imagination and conversation alone are insufficient. These restorative justice practices must ultimately be embodied in action.

Embodied disciplines

Embodied action is demanded by Jesus’ earthly, political life, the physicality of his death and, most fully, with his risen life. Reconciliation and justice might be conceived in the imagination and articulated through conversation but they are enacted in and through the body.

891 Volf, *The End of Memory*, 108-112 explores the kind of remembering constitutive of both meals.
Absorbing

The gift of forgiveness, given by victims and received by wrongdoers, transcends language. The community cannot adequately nurture and celebrate forgiveness with words alone. This exposes the limitations of the restorative justice conference. Some aspects of reconciliation and justice (like forgiveness) must find embodiment in victims, wrongdoers and the community. Forgiveness is costly and its cost is absorbed by each party. The victim absorbs the cost of forgiving, the wrongdoer absorbs the cost of repairing and the community absorbs the cost of working for justice.

The essence of forgiveness is its giftedness and its costliness. For the victim, Jesus’ prayer in the garden exemplifies the agony involved in absorbing the cost of forgiveness while respecting its essential giftedness. Here we observe that not even God can demand the cost of forgiveness from someone: it must be offered! (Luke 22:42). In contrast to this costliness, many popular ideas about forgiveness emphasise the ‘release’ and ‘freedom’ experienced by the victim who forgives. This lived experience reflects only one aspect of the Greek word ἀφίημι. The common biblical use of ἀφίημι, however, reveals that the main beneficiary of forgiveness is always the forgiven one and not the one forgiving. This is evident when God is forgiving people. God never receives any benefit from forgiving but absorbs the cost of forgiving people. Human forgiveness is derivative of divine forgiveness and reflects a similar dynamic. The main beneficiary of forgiveness is the wrongdoer. The victim, like God, absorbs the cost because forgiveness ‘uses you up’, effectively consuming the giver. Once again the crucial difference between God’s forgiveness and human forgiveness must be recognised. For the disciple of Jesus who is united with
Christ in his death and resurrection the ultimate cost of forgiveness has already been *absorbed* in Jesus’ death. Victims do not and cannot absorb the cost of forgiveness on their own. In offering forgiveness, victims participate in Christ’s sufferings but have no part in the physicality of his death. Jesus’ death and resurrection assures victims that forgiveness does not cost them everything, although it might ‘use them up’.

For the wrongdoer, the cost of forgiveness is absorbed through making amends. Forgiveness is received as a gift by the wrongdoer who desires to make amends. Reconciliation with the victim is not the end of the wrongdoer’s obligation but the beginning of fresh obligations to make amends. Absorbing the hard work of repair and restitution can come at a significant cost to the wrongdoer. Making amends, I will argue in the final part of this chapter, enables the wrongdoer to receive the victim’s burden back again. But if forgiveness is received as a gift by the wrongdoer, how can it incur the additional cost of repair and still remain a gift? Asking this question exposes a misconception about reconciliation. *True reconciliation does not forget about justice.* The reconciled wrongdoer who receives forgiveness as a gift is not free from the victim’s concern for justice. The wrongdoer accepts the victim’s claim to justice as an intrinsic obligation of being reconciled with the victim. If the cost of forgiveness and reconciliation is borne by the victim alone then true reconciliation has not been achieved. In Acts, reconciled wrongdoers like Saul and the gaoler were called to absorb the costs of repair and restitution. These embodied acts are the work of post-reconciliation justice. This is a unique contribution from the field of restorative justice. It is also a profoundly biblical and theological
notion. Because they willingly share in Christ’s sufferings, the reconciled wrongdoer willingly absorbs the cost of making amends.

The cost of working for justice should not be absorbed by either the victim or wrongdoer alone but by the whole community. Reconciling communities that respect victims and wrongdoers do not abandon or scapegoat either party but provide the necessary time, space and rituals for hearing testimonies and confessions. They are prepared to challenge and change the community’s pattern of relating, to regularly nurture and celebrate forgiveness, and to willingly absorb the costs. The Christian ‘body of Christ’ will also bear the marks of its suffering service in the pursuit of reconciliation and forgiveness. In the final chapter I will present models of how Christian communities might embody this in their common life.

**Embracing**

Can victims and wrongdoers actually embrace one another? Or is the notion of a reconciling embrace merely a story-telling device from the Scriptures or the romantic gesture of an impractical theologian? From the slums of New Delhi and the inner-city neighbourhoods of Sydney, to the blood-soaked lands of Rwanda or the former Yugoslavia, the question is urgent and it is inescapable: is reconciling embrace really possible? Can the victim accept the invitation of the wrongdoer’s open arms without recoiling in fear or refusing in spite? Can the wrongdoer welcome the victim with gentleness and respect, offering comfort without trying to control, preserving their freedom and dignity through ‘opening their own arms again’? Can the

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892 For the church of Jesus as the incorporated suffering servant see further Cooper, "Incorporated Servanthood" (thesis).
community embody its vocation to be ambassadors of reconciliation, embracing love ‘in public’ given that, according to Cornel West, this is what justice looks like?  

For victims, wrongdoers and the community an honest answer should echo Volf’s response when asked by Jürgen Moltmann if he (Volf, a Croatian) could embrace a cetnik (a Serbian fighter): ‘No, I cannot – but as a follower of Christ I think I should be able to.’ It is the failure to embrace as followers of Jesus that is critical. The disciple is called to enemy-love because of God’s mercy (Luke 6:36). The disciple can pray for forgiveness for the wrongdoer because of Jesus’ prayers from the cross (Luke 23:34). The disciple is reconciled with God, the victim and the community through the risen Christ (Acts 9:18-19). The disciple’s practices achieve reconciliation through the presence of the Spirit (Acts 16:15, 33-34). I have argued that restorative justice is a way of faithfully following Jesus and can never be reduced to a mere process, technique or formula. The reconciling embrace, which recalls the life, death, resurrection and Spirit of Jesus, is both the means and the goal of discipleship. The gospel of Jesus Christ announces that victims, wrongdoers and the community are embraced equally by God. God’s embrace makes the disciples’ embrace of one another a real possibility. In God’s embrace, former distinctions between people lose their power to separate and to divide (e.g. Gal. 3:28). Because God first reconciled each person to himself in Christ, victims, wrongdoers and the community can become ambassadors of reconciliation. Reconciled relationships are those in which the enemy has become a neighbour, a guest

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or even a friend. At the final reconciliation all divisions will be healed and all such relationships transformed into ‘heavenly enemies’. What, then, are the practices of disciples who have become neighbours, guest and friends through Christ?

Repairing

Reconciled neighbours, guests and friends join together in the work of repair by accepting gifts of amends, accepting back the burdens of making things right and sharing together the shalom of reconciliation and justice. Tilley’s definition of discipleship as reconciling practice is deficient at this point because it does not incorporate the continuing work of repairing, as part of post-reconciliation justice. Käsemann suggested that ‘justice for the unjust’ marked the status, mission and service of the Christian on earth. Across the globe faithful disciples of Jesus are creating justice for the unjust. This commitment reminds locally gathered Christians that discipleship must also be embodied in their everyday, social and political spheres: schools, workplaces and neighbourhoods. Each of the disciplines identified in this chapter, and particularly this final discipline of repair, can be practiced in the context of the wrongdoings occurring in each of these spheres. When discipleship is privatised and limited to ‘Sunday only’ activities or if it is internalised in terms of traditional disciplines of prayer


896 Ernst Käsemann, On Being a Disciple of the Crucified Nazarene: Unpublished Lectures and Sermons (trans. Landau and Kraus; Grand Rapids: Eerdmans, 2010), 232. Perhaps it is one of contemporary Christianity’s better kept secrets that practical disciplines of accepting the gift and burden of making amends while sharing together the shalom of reconciliation and justice is actually embodied in our world? I provide two examples of this from ‘middle spheres’ in the next chapter.
and study, there will not be enough justice for those unjustly treated.

Faithful discipleship involves working for justice and reconciliation in the public spheres of life. The Christian community’s public vocation of reconciliation and justice for the unjust is the subject of the final chapter where I propose a model for the Anglican church in Australia and its task of repairing the past with Indigenous Australia.

**Conclusion**

I have proposed nine practices for discipleship as restorative justice. Imaginative discipleship includes the disciplines of remembering, seeing and desiring which are themselves shaped by Jesus’ teaching about the Kingdom of God. Conversational discipleship includes the disciplines of naming, questioning and forgiving which are themselves grounded in Jesus’ death for wrongdoers. Embodied discipleship incorporates the disciplines of absorbing, embracing and repairing, all of which emerge from the life of the risen Jesus. Just as a truncated Christology cannot provide the resources needed for the future work and development of restorative justice, a truncated discipleship cannot adequately serve the needs of justice and reconciliation in the church or in the world. The Christian community’s role in a world desperate for reconciliation and justice is explored in the final chapter.
Chapter 9  Communities of restorative justice

In the previous chapter I contended that the theological demands of restorative justice should not be restricted to the individual discipleship of wrongdoer and victim but incorporate the wider community. In the final part of this thesis, I will argue that the pattern of Jesus’ life, death, resurrection and Spirit must not be reduced to individual practices. In theological language our discussion has progressed from the central focus of Christology (chapters four through seven) to discipleship (chapter eight) and now to ecclesiology (chapter nine). The nine practices of discipleship described in the previous chapter outlined the kind of imagination, conversation and embodied action that constitutes a faithful follower of Jesus Christ. I now return to Howard Zehr’s critique that most communities are not sufficiently robust to adequately perform the work of restorative justice. By circumscribing a distinct role for Christians, I will argue that the Christian community (by which I mean the ‘local church’), through its mission and witness is sufficiently robust to undertake this task.

In the foregoing discussion I have suggested that sustainable restorative justice practices are inextricably linked to the kind of community

897 See chapter 3 for my earlier discussion of three contemporary challenges for the practice of restorative justice. These were: does it ensure that justice is extended to victims, that wider social and political dimensions are considered and that communities are made strong enough to facilitate the work of restorative justice. The two challenges posed by Zehr have been addressed and can be briefly summarised as follows. First, the proposal that justice can only ever be partial justice prior to reconciliation addresses the first question of justice for victims. Beyond reconciliation, however, lies the enduring work of justice as restitution. This is the justice needed by victims. It is correctly identified by the theory of restorative justice but often neglected by contemporary practice. The necessity of justice as repair or restitution is more tangible at the grassroot levels of schools, workplaces and inner-city neighbourhoods or in national reconciliation such as in South Africa and Rwanda. Second, the wider dimensions of restorative justice practice are addressed in the creative proposal of Myers and Enns who are concerned with ‘full spectrum peacemaking’ (chapter 2) and through the reconciling practices of the early church community (chapter 7). The major focus of this chapter concerns the convictions of communities that can promote the effective and lasting practice of restorative justice.
life that exists in a city, neighbourhood, village, workplace, school or church. For example, in the English city of Hull, the world’s first ‘restorative city’ has been established and in Rwanda four ‘reconciliation villages’ have been built.\textsuperscript{898} The interdependence of community life and committed action has already been observed in a range of diverse contexts. While the phenomenon of ‘community organising’ is more common to public life in North America (and the focus of most extant literature), the dominance in those very places of faith-based groups – especially local churches – raises important questions for schools, workplaces and neighbourhoods seeking to practice restorative justice.\textsuperscript{899} I contend that the Christian community, inspired by a holistic Christological vision, provides the kind of habitat that can create and nurture restorative justice practice. The restorative justice movement should consider my proposal in terms of a specifically Christian (and in this thesis ‘Christological’) approach. This does not mean, of course, that I am not criticising the restorative justice movement for its lack of an explicit Christology. The significance, however,


of specifically Christian approaches – animated by the Christology described in the preceding chapters – have been under-valued.

My argument is based on a view of the church as being more than simply a religious version of community, analogous to all other human groupings. The classic formulation of a unique role for the church community is *extra ecclesiam nulla salus* which was reformulated by Sobrino as ‘there is no salvation outside the poor’. Although my argument here is more modest (and less controversial), I will suggest models of Christian community whose distinct restorative justice commitment is shaped by the life, death and resurrection of Jesus Christ.

This Christological basis can be discerned in the ecclesiology of the conversation partners encountered in previous chapters. For Bonhoeffer, the being of the church is its *mission* because the Christian community exists in the world ‘for’ the other. He insists that the gospel of Jesus Christ is not dependent on the church's witness but on its *visibility* as the sign of Jesus’ kingdom breaking into the world. For Yoder (and more recently Hauerwas), the church's *witness* constitutes the truth of the gospel which makes the Christian community’s *faithfulness* essential. The social practices of the Christian community therefore form its essential

900 Sobrino, *No Salvation Outside the Poor*, 50-51 who bases this claim on the death and resurrection of Jesus.
901 Stanley Hauerwas, *The Peaceable Kingdom: A Primer in Christian Ethics* (London: SCM Press, 1983), 99, 114 features his mantra that ‘the church must first be the church.’ This is his way of saying that the church's visible existence in the world sets forth, for the world's benefit, an alternative, lived reality (‘the church does not have a social ethic; the church is a social ethic’). This alternative, lived reality is a community of people shaped by faithfulness to the Gospel who, in turn, help others to shape their lives and characters in faithfulness to the Gospel so as to *witness* to the Gospel in the world. It is precisely the church's internal life of formative practices which allow us to see and rightly know what Christ might do outside the church ('such people serve the cause of justice best by exemplifying in their own lives how to help one another').
nature. For Volf, the church is called to live for the world's sake (as argued by Bonhoeffer) and called to be other than the world (as argued by Yoder) demonstrating how visibility and faithfulness can be reconciled in what Volf calls the church’s ‘soft difference’ with respect to the world.

The pivotal role of the Christian community in practices of reconciliation and justice in post-genocide Rwanda, and particularly the role of Prison Fellowship International in establishing ‘reconciliation villages’, is a stark contrast to the absence of similar communities in Australia. This particular absence from public life mirrors the general absence of Christian thinkers from restorative justice theory. In the Australian context, thought needs to be given first to existing approaches which have a place that is independent of the Christian community. I will begin by identifying four of these approaches including perspectives on organisational processes, therapeutic skills, ethical principles and the relational focus of conflict resolution. The church must learn from these other perspectives before expressing its distinct contribution.

‘Secular’ communities of restorative justice

The four approaches considered here can be referred to as ‘secular’ because the inner logic of each approach does not require the Christian community. In Yoder’s words, the intended community ‘cannot be presumed to be addressable from the perspective of Christian confession.’ In the light of these four perspectives, it is assumed that communities can

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903 This is notwithstanding the fact that most of the authors in this section are writing from within and for the Christian faith and share its Scriptures, traditions, worldviews and assumptions.

grow in effectiveness, health, justice, peace and reconciliation without necessarily holding Christian convictions or participating in the life of the Christian community.

‘Effective’ communities: organisational perspectives

Restorative justice conferencing has been adapted by David B Moore (see chapter 2) to resolve workplace conflict by incorporating organisational perspectives. He has recently modified his management-orientated approach for schools and other locally-based communities. Consistent with a growing trend in contemporary leadership literature, he stresses the importance of open communication within the organisation. Conferencing, according to Moore, is a structured conversation through which grievances can be aired, disputes identified and conflicts resolved before each has a chance to escalate into ‘acts of undisputed harm’. Moore’s approach is consistent with organisational theories that focus on win-win outcomes such as the Harvard Negotiation Project and its negotiation and problem-solving strategy called ‘Getting to YES’. Moore identifies the perceived lack of justice in a traditional ‘adversarial process [that] emphasises the discrepancies between the two arguments … one side formally wins; one

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905 Moore and McDonald, *Transforming Conflict*, 51 specifically addresses ‘questions addressed by organisational and systems theory.’
906 Moore, "From ‘Restorative Practices’ to ‘Relationship Management’: A Schools-Based Project of the Australian Government Quality Teaching Program."
907 Moore and McDonald, *Transforming Conflict*, 51.

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side loses. And yet it is common for both parties in an adversarial process to feel that they have lost. Often, neither party feels justice has been done.  

Organisational perspectives, such as Moore’s, demonstrate the importance of fair process and the incorporation of genuine conversation. As noted in the previous chapter, the failure of the church to devise processes for dealing with internal issues of conflict, relationship breakdown or clergy bullying have surfaced in recent decades. In various denominations and institutional settings the church is improving its governance, in some cases through re-discovering the approaches of the apostle Paul and his circle to conflict in the early Christian assemblies. Ricoeur has highlighted the dangers, however, of abandoning the kind of discernment and judgment necessary for enacting justice. The church can develop fairer processes without allowing itself to become process-driven because, in biblical imagery, the Christian community is likened to an organism rather than an organisation.

‘Healthy’ communities: therapeutic perspectives

A healthy community needs inter-personal relationships provided by psychological insights to thrive. A significant proportion of restorative justice practice depends upon the insights, skills and processes derived from a range of therapeutic traditions. American psychologist Everett

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909 Everett L. Worthington, *The Power of Forgiving* (Philadelphia: Templeton Foundation Press, 2005), 25, 27 observes that ‘the disputant’s sense of injustice, derives from the essential nature of the adversarial process. Emphasising discrepancies between two arguments has the side effect of maximising conflict between the disputants.’


911 I am anticipating here my discussion of the sociality of the church in the next section by Bonhoeffer, *DBWE* 1:252-267.
Worthington III is a well-known expert on the emotional and psychological dimensions of forgiveness and reconciliation.\footnote{See Everett L. Worthington, \textit{Forgiving and Reconciling: Bridges to Wholeness and Hope} (Downers Grove: IVP, 2003). Everett L. Worthington, \textit{Dimensions of Forgiveness: Psychological Research and Theological Perspectives} (Philadelphia: Templeton Foundation Press, 1998).} His basic premise is that forgiveness involves five steps contained in the acronym R-E-A-C-H:

‘Recall the hurt, empathise, altruistic gift of forgiveness, commit publicly to forgive in a way that can be observed, and hold on to forgiveness.’\footnote{Worthington, \textit{Forgiving and Reconciling}, 73-74.}

Worthington’s practical advice for people who want to forgive others mirrors the apostle Paul’s response to the offence in the church in Corinth.\footnote{1 Corinthians 6:1-9 see also Stephen C. Barton, "Christian Community in the Light of 1 Corinthians," \textit{SCE} 10 (1997): 9. J D G Dunn, "The Responsible Congregation (1 Cor. 14:26-40)," in \textit{Charisma Und Agape: (1 Ko 12-14)} (eds. De Lorenzi and Benoit; Rome: Abtei von St Paul vor den Mauern, 1983), 201-236.} Worthington’s focus on the victim’s role in forgiveness coincides with the discipleship practices commended to victims in the previous chapter. Worthington implicitly assumes, however, that victims not wrongdoers initiate the pursuit of a ‘just forgiveness’ in the family, church, communities, society and the world. The working assumption is that \textit{individual victims} are responsible for forgiving.\footnote{Everett L. Worthington, \textit{A Just Forgiveness: Responsible Healing without Excusing Injustice} (Downers Grove: IVP, 2009), 127-215 whose focus is on living out a ‘just forgiveness’ in the spheres of family, church, communities, society and world. This overlaps with the ‘middle-level’ spheres in Lederach.} These assumptions need to be challenged. Most psychology encourages ‘healthy’ relationships. The principal focus is on the interior life of individuals for spiritual, personal and emotional wellbeing. The health of the wider group is dependent on the health of constituent individuals but never the other way around. This limits attention to \textit{individual} behaviour and privileges the individual over the community. An unintended consequence of this approach is healthy
communities that are warm and supportive towards those who can behave according to the group norms, but exclude those whose wrongdoing is problematic or who are deemed ‘un-healed’ victims.

Contemporary psychological approaches usually require the intervention of an expert (for example, the therapist), a second difference to the approach of the early church. Taken together these limitations comprise what American scholar John McKnight calls the ideology of ‘allopathic’ therapies that effectively ‘disperse community, isolate the afflicted and call on the spirit of expert intervention.’\(^9\) A third limitation to psychological approaches is the reactive and subsequently sporadic implementation of restorative justice practices. In the immediate aftermath of wrongdoing, therapeutic skills might be used to return the community to ‘health’. This brief experience of community proves unsustainable because – in the words of Dietrich Bonhoeffer – such experiences are not the same as true community.\(^7\)

These therapeutic perspectives highlight the importance of education that incorporates forgiveness skills in relationships, without the driving force of psychological goals (such as ‘health’).

‘Justpeace’ communities: ethical perspectives

Howard Zehr has sought the continuing development of values and principles to guide the restorative justice movement. Jarem Sawatsky has

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\(^7\) Bonhoeffer, *DBWE* 5:47 who argued that ‘nothing is easier than to stimulate the euphoria of community in a few days of life together [gemeinsame Leben]; and nothing is more fatal to the healthy, sober, everyday life in community of Christians.’
responded with *Justpeace Ethics: A Guide to Restorative Justice and Peacebuilding*. He is refreshingly honest about the tensions and complexity required to build communities of peace. He correctly notes that restorative justice involves a credible way of life and not just a program to be implemented.\(^9\) The prime peace-building task of communities is to prioritise relationships over rules, and to promote local communities over larger institutions and the state.\(^9\) Reordering priorities produces a series of interrelated virtues that form the ethics of Sawatsky’s formulation of ‘justpeace’ communities. Undergirding the significance of ‘justpeace’ virtues draws on the view popularised by Hauerwas that ethical character is best formed within the life and witness of a Christian community.\(^9\) The tension between particularity and interconnectedness is, of course, most readily exposed in community. The apparent hesitancy in drawing on the life and death of Jesus or centuries of faithful Christian practice for the deep roots of ‘justpeace’ only serves to undermine such a principle-based approach. In the Christian community, it is unavoidably the particularity of Jesus Christ that must be affirmed as the basis for interconnectedness.\(^9\)
Another limitation of Sawatsky’s approach is his framing of virtues. For example, a major theme in his work is the insistence that virtues (such as nonviolence) are to be practiced. His ethical prescriptions are less clear about how such practices are to be embodied in everyday life.\footnote{Nor can an approach called ‘Justpeace Ethics’ remain so deliberately vague about its ethical application. For example, an irritating stylistic device in Sawatsky, \textit{Justpeace Ethics}, 19, 45, 62, 83, 88 is the recurrent use of expressions such as, ‘this long-term—relationship lens has to do with’ or ‘a generation’s lens becomes a virtue when it shapes our perspectives. It has to do with … this ‘something’ has to do with … it has to do with.’ This lack of clarity is intentional because the author understands ‘answers and formulas are part of the problem … shar[ing] some of the same logic as violence.’ Some practical, concrete suggestions that don’t necessarily try to ‘solution the world to death’ but elucidate how to embody the ‘markers of character and imagination’ need to be explicaded.} Ethical perspectives can indicate the importance of virtues that incorporate biblical insights. Paul’s communities stressing the role of ‘peace’ as a criterion and goal of their activities is just one example. Ethical approaches are indispensable for the Christian community, but it must not become driven by principles divorced from faithful, concrete action.

‘Reconciled’ communities: conflict resolution perspectives

The American peace-builder John Paul Lederach has closely examined the best strategies from practice-orientated conflict resolution and has provided a fourth approach.\footnote{John Paul Lederach, "Defining Conflict Transformation," \textit{Peacework} 33 (2006): 36-37 locates the discipline of conflict resolution within social psychology and differentiates it from restorative justice because the goal of conflict transformation is ‘to envision and respond to the ebb and flow of social conflict as life-giving opportunities for creating constructive change processes that reduce violence, increase justice in direct interactions and social structures and respond to real-life problems in human relationships.’} Lederach notes the human geography of conflict and its resolution. This enables him to observe the connection between ‘social space’ and reconciliation.

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the differences between faith traditions through the interconnectedness of virtues. In practice, this means that inspiration is drawn from the author’s own tradition (Christian) alongside a variety of other sources. This raises the question of whether such an easy synthesis between these differently imagined worlds is possible or whether there is not a more radical gulf between Christianity and other faiths committed to ‘justpeace’?
Reconciliation, in essence, represents a place, the point of encounter where concerns about both the past and the future can meet. Reconciliation-as-encounter suggests that space for the acknowledging of the past and envisioning of the future is the necessary ingredient for reframing the present. For this to happen, people must find ways to encounter themselves and their enemies, their hopes and their fears ... reconciliation, I am suggesting, involves the creation of the social space where both truth and forgiveness are validated and joined together, rather than being forced into an encounter in which one must win out over the other.924

Lederach’s convergence of reconciliation and social space (or place) resonates with my own experience of restorative justice in Sydney’s inner-city during the last decade. In the first instance, the sociologist Ray Oldenburg’s concept of ‘third’ places – where people gather outside of either work and home – illuminated the part played by the church’s community centre in Darlinghurst and the community garden in Glebe among disadvantaged people.925 Typically the places offered by Christian communities were the only 'safe' places to gather apart from the street.926

Reconciliation requires such places. Second, Lederach identified the critical role of ‘middle-range’ leaders and actors who occupy positions where ‘they are likely to know and be known by the top-level leadership, yet they have significant connections to the broader context and the constituency’ and where ‘their status and influence in the setting derives from ongoing

925 Oldenburg, The Great Good Place, 26, 46 who notes that ‘a comparison of cultures readily reveals that the popularity of conversation in a society is closely related to the popularity of third places’ and ‘novelty in third place conversation is lent by the predictable changes but unpredictable direction that it always takes.’ This follows Jürgen Habermas’s concept of ‘public space’ and its appeal to the ‘reasonable dialogue’ promised by the ‘ideal speech situation.’ Yet much of contemporary public discourse as conducted through the media and on the internet appears incapable of reasonable dialogue with opposing viewpoints. It appears to be content with “preaching to the choir.” Levinas’ question remains: how to bring people to the table to dialogue without doing violence?
926 The street is the usual gathering place in inner-city neighbourhoods. It is also a contested place with conflict between police, residents, shop-owners as illustrated in the description of events in Darlinghurst and Kings Cross in the next section.
relationships. Lederach’s description of the ‘greater flexibility of movement and action’ of middle-range actors and their ‘pre-existing relationships with counterparts that cut across tribal allegiances’ leads him to conclude that ‘these qualities give middle-range actors the greatest potential to serve and to sustain long-term transformation in the setting’ match my own experience as well as leaders of other Christian communities.

In his most recent work, The Moral Imagination, Lederach synthesises these ideas by employing the analogy of a spider’s web. This illustrates Lederach’s key insight that middle-level action is essentially about ‘relational centers that hold, create and sustain connections’ combined with Oldenburg’s explicit focus on the physical dimension of third places as ‘spaces of relationships and localities where relationships intersect.’ This perspective is a reminder of those ordinary facets of genuine reconciliation that are easily overlooked – the importance of social relationships in a particular place facilitated by a flexible leadership. Once again there is a biblical precedent for these facets in Paul’s references to the role of key people in the communities he founded who embody similar characteristics and roles. Peace-building perspectives highlight the people, places and social relationships that promote reconciliation within the Christian community, without becoming driven by outcomes (such as ‘resolution’) or ignoring the justice that lies on the other side of reconciliation.

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927 Lederach, Building Peace, 41-42 where middle-range leaders are defined as ‘persons who are highly respected … in the primary networks … leaders of identity groups in conflict (ethnicity, geography), whose prestige extends beyond local.’
928 Lederach, Building Peace, 61.
930 Banks, Paul’s Idea of Community, 152-154 and Re-envisioning Theological Education, 114-124 notes ‘Paul’s work was primarily a community action.’
Lessons for the Christian community

These four perspectives can inform and assist the Christian community in developing its own processes, skills, virtues and relational places. First, the church can adopt some of the organisational processes (such as facilitated conversations) without becoming process-driven. Second, the church can utilise psychological skills (such as R-E-A-C-H) without becoming therapeutically-driven. Third, the church can insist on ethical virtues without fearing that principles will replace practice. Fourth, the church can nurture and sustain reconciling places and relationships without being preoccupied or driven by ‘outcomes’. In the next few pages I will introduce a number of models that the church might incorporate into its mission and its witness to God’s restorative justice.

Christian communities of restorative justice

The principal objective in this chapter is delineating the distinct role of the Christian community in the conduct of restorative justice. Claiming that the church can play a constructive role may appear naïve or foolish given the church’s relatively minor role in the ‘restorative city’ at Hull and the virtual absence of the church in the evolving Australian restorative justice movement. To substantiate my claim I will first describe a model of a local church that has contributed constructively to the problem of violence in its

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931 Barton, "Christian Community," 9 makes these links explicit: ‘there is an underlying socio-logic, itself related to an even more fundamental theo-logic. In short, Paul is talking about three kinds of ‘body’, not just one: the believer’s physical body cannot be understood independently of the social body of the ekklesia, and the ekklesia cannot be understood appropriately except as ‘the body of Christ’. Acknowledging this interrelationship of the three kinds of body is important. It helps us to see, for example, that Paul’s sexual ethics are an integral part of his social ethics, and that his social ethics (which touch on a range of issues much wider than just sex) are an integral part of belonging to Christ under the sovereignty of God in the power of the Spirit.’
immediate neighbourhood through the principles and practice of restorative justice. I will then canvass three ecclesiological models based on engagement with the world and conclude that ‘soft difference’ is an appropriate model for Christian communities of restorative justice.\textsuperscript{932} I will then integrate into this model the four reconciling practices of the early church in the ancient Roman city of Philippi: hospitality, deliverance, salvation and resistance (drawn from chapter 7). I will conclude with my suggestion that the relationship of the Anglican church with Indigenous Australians acts as a ‘test case’ for the proposed model of a Christian community of restorative justice because it raises the issue of post-reconciliation justice.

A local church model: St John’s Darlinghurst and street violence

In the first part of the chapter, I noted the importance of ‘middle-level action’ and ‘third places’ in the practice of restorative justice in two Sydney communities. I will now describe one particular case in more detail in order to develop a model for the distinctive role of the Christian community as a site for restorative justice. The case study involved local small business owners, street violence and a church, St John’s Anglican Church East Sydney. The church is centrally located in its neighbourhood with

\textsuperscript{932} A comprehensive theology of church community and its concerns is well beyond the scope of the present chapter. Most ecclesiology, however, affirms its link with Christology, for instance, the Augustinian notion that Christ and the church constitute a single person, the whole Christ. Barth, \textit{CD}, IV. 2:655 thinks ‘Jesus Christ is the community’. The Christological emphasis is clear even for theologians whose ecclesiology is ultimately Trinitarian. An example is Miroslav Volf, \textit{After Our Likeness: The Church as the Image of the Trinity} (Grand Rapids: Eerdmans, 1998), 128 notes ‘the all-embracing framework for an appropriate understanding of the church is God's eschatological new creation. According to the message of Jesus, the gathering of the people of God is grounded in the coming of the Kingdom of God in his person. Commensurately, New Testament authors portray the church, which emerged after Christ's resurrection and the sending of the Spirit, as the anticipation of the eschatological gathering of the entire people of God.’
surrounding streets comprising the third wealthiest and fifth poorest localities in Sydney. Known locally as ‘the Cross’ (short for ‘Kings Cross’), and similar to many inner-city neighbourhoods around the world, east Sydney’s villages traditionally drew people across a wide range of social strata including international tourists and backpackers, visiting sailors, the wealthy and influential, the marginalised and street people, the elderly and those suffering from addictions and mental health issues. The re-gentrification of recent decades generated debate and conflict, often witnessed as abuse and violence on the streets. A flash point erupted when a proliferation of footpath cafes and places with alfresco dining displaced ‘street people’ who had long-established business dealings (primarily prostitution and drug dealing) on the same footpaths. These were conducted within informal – but clearly demarcated – territories. Satisfactory resolution to the ensuing conflict was elusive despite a strong police presence and advocacy from the local Chamber of Commerce. St John’s church had a history of caring for people in need and making abusive or violent people accountable through restorative justice conferences it facilitated.

The church responded to escalating street violence by hosting a training day for local business owners and the staff of local government agencies. It was attended by approximately 90 participants. The training started with a gospel presentation of Jesus’ parable of the Good Samaritan (Luke 10). A role play depicting a typical confrontation between shop owners and street people was then presented with small group discussion facilitated by church staff. Key principles and critical practices from restorative justice were presented followed by a re-run of the conflict
modeled on restorative justice ideals. The training day generated spirited conversation and goodwill between the various groups (including a handful of street people). The impact spilled over into the local community which created opportunities for further training and collaboration.933

A number of causative factors were apparent in the church’s positive contribution to resolving the issue of violence in its local neighbourhood. They were based on a demonstration of the community disciplines of restorative justice that were described in the previous chapter. First, the church observed victims and wrongdoers of the violence and remembered both without abandoning either. Second, it desired justice and reconciliation for all the stakeholders. Third, the church’s commitment to justice and restorative practices were transparent in the local neighbourhood because it publicly nurtured and celebrated ‘forgiveness with accountability’. Fourth, it willingly absorbed the cost of practicing forgiveness and fostering reconciliation. Another factor was the readiness to embrace the processes, skills, principles and outcomes of more secular approaches. For example, St John’s Anglican Church was a respected and integral part of the ‘web’ of local relationships that existed between police, local business owners, government agencies and those on the streets. The clergy and staff functioned as middle-level actors and the church’s community centre functioned as a ‘third place’ for many of the homeless and displaced people of the street. For my purposes this case study must

offer more than an illustration of successful restorative justice practice.\textsuperscript{934}

An account (and any model flowing from it) of how restorative justice is strengthened and deepened by its location in the church requires theological and biblical contributions that transcend secular approaches or habits of Christian discipleship.\textsuperscript{935}

Three of the theologians serving as dialogue partners have written on the relationship of the church and the world as well as Christology. While this aspect of their work cannot be fully appraised here, Bonhoeffer’s understanding of the church’s \textit{mission}, Yoder’s account of the church’s \textit{witness} and Volf’s version of the church’s ‘\textit{soft difference}’ provide important insights into how these elements might feature in my (or any) model.

\textbf{Bonhoeffer’s model: the mission of the church-community for the world}

Bonhoeffer asserted that the church is incarnate in history because ‘the primary confession of the Christian before the world is the deed which interprets itself.’\textsuperscript{936} The significance of Bonhoeffer's ecclesiology is a

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\textsuperscript{934} Dependency on anecdotes that are not accompanied by rigorous investigation is a regrettable trait of the restorative justice movement.

\textsuperscript{935} Bonhoeffer, \textit{DBWE} 1:300 demonstrates that theological, sociological and other perspectives must not be considered in isolation from each other because any ‘theory of the church’ must ask about the conditions under which the church takes shape in within the world.

\textsuperscript{936} Bonhoeffer, "The Nature of the Church," 86 thinks that 'through this confession the community distinguishes itself from the world.' Glen H. Stassen, \textit{Solid Ground: Incarnational Discipleship in a Secular Age} (Grand Rapids: Eerdmans, forthcoming). He asks: ‘why did Bonhoeffer discern the truth and stand up when others failed? His encounter with Christianity outside Germany gave him a loyalty to churches internationally and freed him from the ideology of German nationalism. He entered incarnationally and empathetically into the experience of African Americans in Harlem, and when he returned to Germany, this enabled him to sense what Jews were experiencing from the very beginning of Hitler’s acts of discrimination. His faith emphasised following the incarnate Jesus—including the crucifixion and resurrection, but also the life, sufferings, and teachings of Jesus, and a concrete interpretation of the Sermon on the Mount. And by contrast with the then prevailing dualistic ethics, he developed an ethics in which Christ is Lord over both public and private life.’ [emphasis added]
threefold challenge for Christian communities: are churches still thinking in (classically Lutheran) terms of the two spheres? Are churches existing for others? Are churches helping the world come of age? The church’s solidarity with the world is the basis for its mission to the world.

As noted in a previous chapter Bonhoeffer’s theology revolved around ‘Christ the centre’. From his earliest writing, Bonhoeffer asserted that ‘the church is the presence of Christ himself’ showing that he also believed that Christology is inescapably ecclesiological. Yet Bonhoeffer did not allow his writing on the church-community to become ecclesio-centric, because ‘whoever sees Jesus Christ actually sees God and the world as one; he can no longer see God without the world nor the world without God.’ Bonhoeffer lamented a church that seemed to exist for itself and subsequently committed to ‘fighting during these years only for its self-preservation, as if that were at end in itself. It has become incapable of bringing the word of reconciliation and redemption to humankind and to the world.’ For Bonhoeffer, ‘being in Christ’ and ‘being in the church-community’ was the same thing, which meant the church, like Christ, must

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938 Bonhoeffer, DBWE 1:246.
939 Bonhoeffer, DBWE 1:189-192, 295 in his doctoral dissertation that he first outlined his view of the church as ‘Christ existing as church-community’. The church itself is the very presence of Christ taking eschatological shape in the world through the Holy Spirit. See also Godsey, "Bonhoeffer's Question for American Churches," 3 who suggests that the practical outworking of his writing on the church that ‘Bonhoeffer was a man of the church … all his life he remained committed to the church. He was a youth worker, chaplain to students, pastor, ecumenical worker and principal of the seminary of the Confessing Evangelical Church in Germany.’ Bonhoeffer insisted that the reality of God is never encountered by isolated individuals but always as those who find their personhood connected to other persons in the reality of their socio-historical context.
940 Bonhoeffer, DBWE 8:389 notes that the church’s proclamation of ‘reconciliation and redemption mean rebirth and the Holy Spirit, love for one’s enemies, cross and resurrection, what it means to live in Christ and follow Christ - all that is so difficult and so remote that we hardly dare to speak of it anymore. This is our own fault.’
Bonhoeffer’s ‘crude and condensed’ notes on the future shape of the church have been cited many times but highlight the essential nature of mission:

The church is church only when it is there for others. As a first step, it must give away all its property to those in need. The clergy must … be engaged in some secular vocation. The church must participate in the worldly tasks of life in the community – not dominating but helping and serving. It must tell people in every calling [Baruf] what a life with Christ is, what it means ‘to be there for others.’

This means that the church for others can really only exist in-the-world because the work of the church – mission – must occur in the world. Unlike the ‘healthy’ community, the Christian community does not fear the presence of wrongdoing or wrongdoers in its midst. Instead its ‘renunciation of its claims to ‘purity’ leads the church back to its solidarity with the sinful world … face to face with outcasts … it has as its place not only with the poor but also with the rich; not only with the pious, but also with the godless.’ Through Christ the church exists for all the world (including victims and wrongdoers) because it ‘faces both groups with the same impartiality’.

Bonhoeffer’s ethics recognises Christ as the Lord of church and world, raising a series of questions about their relationship in terms of mission that has provoked discussion among successive generations of theologians, pastors and missiologists. He asks:

What keeps gnawing at me is the question, what is Christianity, or who is Christ actually for us today … we are approaching a completely religionless age; people as they are now simply

941 See the previous discussion of Luke 23 where Jesus death’ for his enemies must be recognised.
942 Bonhoeffer, DBWE 8:503.
943 The interplay of theology and politics forced Bonhoeffer to reject key aspects of a traditional Lutheran ‘two-kingdom’ approach to ecclesiology that clearly distinguished political from spiritual action. See Bonhoeffer, “The Nature of the Church,” 87 where he argues ‘there is no sphere from which it distances itself out of anxiety over going astray.’
cannot be religious anymore … we eventually must judge even
the Western form of Christianity to be only a preliminary stage
of a complete absence of religion, what kind of situation
emerges for us, for the church? How can Christ become Lord of
the religionless as well? Is there such a thing as a religionless
Christianity … how do we go about being ‘religionless-
worldly’ Christians, how can we be ek-klesia those who are
called out … seeing ourselves as belonging wholly to the
world?  

Suffering as church-community is the mark of existing for others in a
godless world because Christians are ‘summoned to share in God's suffering
at the hands of a godless world’.  

The solidarity of suffering love for another is the embodied reality of Bonhoeffer’s ‘deed which interprets
itself’ as mission in the world. The suffering love of the church differs
markedly from Bonhoeffer’s earlier emphasis on the inner life of the
church-community.  

The different social locations of Bonhoeffer are
significant because being in the godless world of prison enabled him to
understand the role of the church existing for the godless world. Such
existence expresses the church’s solidarity with wrongdoers through
mission.

The priority of the church’s mission remains the great
strength of Bonhoeffer’s understanding. Mission was singularly expressed

944 Bonhoeffer, DBWE 8:362-363. As previously noted Bonhoeffer, DBWE 6, 54-55 asserts
that ‘in Jesus Christ the reality of God has entered into the reality of this world … what
matters is participating in the reality of God and the world in Jesus Christ today.’

945 Bonhoeffer, DBWE 8:478-479 observes that ‘the same God who is with us is the God
who forsakes us (Mark 15.34). The same God who makes us live in the world without the
working hypothesis of God is the God before whom we stand continually. Before God, and
with God, we live without God. God consents to be pushed out of the world and onto the
cross, God is weak and powerless in the world and in precisely this way, and only so, is at
our side and helps us.’

946 Bonhoeffer, DBWE 1. Bonhoeffer, DBWE 5. The first, Sanctorum Communio, was
written as a student prior to Bonhoeffer’s actual involvement in the life of a local church or
the beginning of the ‘church struggle’ in Nazi Germany. It was during that struggle and the
birth of the Confessing Church that Life Together was written. It also drew on his
experiences of the alternative seminary in Finkewalde’s common life. By way of contrast,
Bonhoeffer’s later reflections on the church suffering for others were written inside Tegel
Prison where his theology of the church was evolving in this new direction.
through word and action (‘the deed which interprets itself’) that overcame the ‘two spheres’ of sacred and secular, kingdom and world. Did Bonhoeffer still hold to the importance of the church’s witness in the world as a foretaste of the kingdom? The church cannot fulfill its mission if it loses its distinctive nature (cf. Luke 14:34 ‘Salt is good, but if salt has lost its taste, how shall its saltiness be restored?’). Once significant in his ministry and writing, the distinctive practices of the church could be neglected in embracing Bonhoeffer’s model of the church ‘existing for others’. The error here is to reduce the church to its function in the world so that effectiveness excludes faithfulness. The Dutch theologian J C Hoekendijk promoted this instrumental view of the church in *The Church Inside Out*. He proclaimed boldly that ‘I believe in the church, which is a function of the apostolate, that is, an instrument of God's redemptive action in this world. Or to put it in terms we used here, the church is (nothing more, but also nothing less!) a means in God's hands to establish shalom in this world.’ Bonhoeffer’s model of the church ‘existing for others’ when separated from any notion of its distinctive ‘life together’ easily becomes an overly pragmatic view of the church. Taken to its extreme, it becomes a model which considers ‘whatever else can be said about the church may be

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947 This is a major burden of Yoder, *The Politics of Jesus*, 151-152 who presses that ‘preaching to the world a standard of reconciliation which is not its own experience will be neither honest nor effective … there is nothing greater that the Church can do for society than to be a centre in which small groups of persons are together entering into this experience of renewal and giving each other mutual support in Christian living and action in secular spheres.’

948 Johannes Christiaan Hoekendijk, *The Church Inside Out* (ed. Tijme; trans. Rottenberg.; Philadelphia: Westminster Press, 1966), 22 explicates shalom as ‘the Messianic shalom in its abundant multiplicity. 1. This *shalom* is proclaimed … 2. This *shalom* is lived … it is lived in *koinonia*. We must not speak too quickly of community. Only insofar as men are partakers of the *shalom*, represented in the *kerygma*, do they live in mutual communion and fellowship. 3. This *shalom* is demonstrated in humble service, *diakonia*. To partake of the *shalom* in *koinonia* means practically and realistically to act as a humble servant.
of only little relevance’ because ‘the nature of the church can be sufficiently defined by its function.’

Yoder’s model: the witness of the church to the world

Yoder’s ecclesiology presents a threefold challenge for Christian communities. He asks: what is the nature of the church, what is its mission, and how does the ‘order of redemption’ (the church’s agency) intersect with the ‘order of providence’ (the government’s agency)? Yoder argues that the church must be a foretaste, a herald or a model of the kingdom before the watching world. Unlike Bonhoeffer, who prioritised the church’s solidarity with the world, Yoder maintained that ‘integral to the calling of the church is for it to demonstrate what love means in social relations.’

The church’s distinctiveness from the world is the basis for its witness to the world. This is because the church is herself a society, Her very existence, the fraternal relations of her members, their ways of dealing with their differences and their needs are, or rather should be a demonstrations of what love means in social relations. This demonstration cannot be transposed directly into non-Christian society.

Here Yoder lays stress on the distinctiveness and visibility of the church’s life. The church should be an exemplary body and a counter community so that the world can imitate and be challenged by it. Thus, the church ‘will be

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949 Hoekendijk, *The Church Inside Out*, 40 is always careful to connect the function of the church with ‘its participation in Christ's apostolic ministry.’

950 Yoder articulated his ecclesiology in works such Yoder, *The Priestly Kingdom; Body Politics*, 78; and, "Why Ecclesiology in Social Ethics," 102-103, 106, 108 because the world ‘cannot be presumed to be addressable from the perspective of Christian confession’ and the confession or non-confession of Jesus Christ as the ‘only necessary dualism for social ethics.’


most deeply and lastingly responsible for those in the valley of the shadow if she is the city set on the hill.'

Central to Yoder’s model of the church as foretaste/model/herald of the kingdom are the internal practices of the Christian community. His interpretation of Jesus’ teaching about ‘binding’ and ‘loosing’ (Matthew 18:15-20 discussed in chapter 2) illustrates this kind of witness before a ‘watching world.’ Here ‘the constantly beckoning imperative remains the love of the enemy … this imperative has moral power in the world to the extent that it is already embodied in the church.’ Yoder’s understanding of Jesus’ lordship over the church and the world suggests that more than the church’s witness is on view. It is more than expecting that the social order that is given to the church will affect the world without any attempt at translation. The distinctiveness of the church appears to mean that the church must relate to the world entirely on its own terms. This is the form that Yoder’s model of the church takes in the

954 John Howard Yoder, "The Otherness of the Church," in The Royal Priesthood: Essays Ecclesiological and Ecumenical (Scottdale: Herald Press, 1998), 64 does not deny the church’s mission, but it follows from its witness, arguing in Yoder, "Why Ecclesiology in Social Ethics," 102-126 that 'to say that social ethics is the life of the believing community says that … these people are willing to live within the limits of the story of their faith and even celebrate their faith in a form that holds its meaning open for others to join.'

955 Myers and Enns, Ambassadors of Reconciliation II, 47-149 is an excellent resource of this kind that provides many powerful and moving case studies of restorative justice in practice.


957 Yoder, Discipleship as Political Responsibility, 62-63 argues ‘it is remarkable how the meaning of Christ’s lordship has been reversed in modern ecumenical discussion. In New Testament times the lordship of Christ meant that even that which is pagan, the state, was under God’s rule. Today exactly the same expression means that Christians have been sent into all areas of public life, including every political position, and that there as Christians they are to do their duties according to the rules of the state – in other words, the opposite of the meaning in the New Testament.’
work of Hauerwas where the church virtually absents itself from most of the important questions facing schools, workplaces and neighbourhoods.\textsuperscript{958}

Yoder’s model of the church risks idealistic irrelevance by drawing too great a distinction between the alternate practices of the Christian community and the so-called ‘secular’ communities outside it. This might strengthen the witness of the church, but has the potential to simultaneously weaken its solidarity with the world. Despite his attempts to locate the Christian community \textit{in} the world, the major trajectory of Yoder’s model remains as its \textit{witness} – the same rubric that dominated the theology of his friend James McClendon who tried to fashion a bridge between the models of Yoder and Bonhoeffer.\textsuperscript{959} Happily, there is a third model of the Christian community which remains in solidarity with the world through its mission yet remains distinctive from the world through its witness.\textsuperscript{960}

\textsuperscript{958} Stanley Hauerwas, \textit{After Christendom? How the Church Is to Behave If Freedom, Justice, and a Christian Nation Are Bad Ideas} (Nashville: Abingdon Press, 1991), 45-68 where the stated agenda was to disentangle Christian ethics from liberal democratic sentiment. However, Hauerwas’ provocative suggestion that ‘justice is a bad idea for Christians’ was perplexing in the secularity of Australia (where the lectures were first delivered). Outside the liberal, democratic and ‘Christian’ North American context where ‘the church’ is often excluded from public discourse, Hauerwas’ sole promotion (and Yoder’s before him) of the church’s ‘witness’ effectively renders the church mute and irrelevant.

\textsuperscript{959} Luther conceived of the church and state not primarily as institutions but as separate vocations. A Christian may therefore serve God through a political vocation as ‘God’s executioner’ or through a spiritual vocation as a minister of God’s word. It is entirely possible to reconcile the two roles – executioner and minister – because one concerns the ‘outward’ identity and one the ‘inward’. For my understanding of the role of vocation in Luther’s theology I am indebted to James William McClendon, “Social Ethics and Christian Community,” in \textit{Ethics: Systematic Theology Vol. 1} (Nashville: Abingdon Press, 2002), 165-191 who appears to prefer Bonhoeffer over Yoder in rejecting Luther’s dualism by affirming that ‘there are not two realities, but only one reality, and that is God’s reality revealed in Christ in the reality of the world. Partaking in Christ, we stand at the same time in the reality of God and in the reality of the world. The reality of Christ embraces the reality of the world in itself. The world has no reality of its own independent of God’s revelation in Christ. It is a denial of God’s revelation in Jesus Christ to wish to be ‘Christian’ without being ‘worldly,’ or to which to be worldly without seeing and recognizing the world in Christ. Hence, there are not two realms, but only the one realm of the Christ-reality, in which the reality of God and the reality of the world are united.’

\textsuperscript{960} I initially discovered the third possibility suggested by McClendon, Stassen and Volf at Fuller Theological Seminary in the mid 1990s where all three taught theology and ethics.
Volf’s model: the soft difference of the church with the world

The model of my third dialogue partner, Miroslav Volf, requires two caveats. First, this model is developed within a Trinitarian framework in contrast to the Christological framework of Bonhoeffer and Yoder. Second, it engages Catholic and Orthodox perspectives whose primary focus is beyond the present discussion. Nevertheless Volf’s free-church ecclesiology is a model of ‘soft difference’ between the Christian community and the world that affirms its mission and witness because the church can remain in solidarity with the world (‘soft difference’) but retain its distinctiveness (‘soft difference’). Volf incorporates the dimension of suffering from Jesus’ death on the cross (echoing Bonhoeffer) and following the way of the cross (echoing Yoder) in his model of the church:

The church can be a sign of hope for the world only if it is a stranger in the world. Being a stranger is not simply a posture which the church takes in relation to the world; it is rooted in the very being of the church as anticipation of the new creation … the eschatological homelessness of the church in the world and its resulting suffering are not impediments to the churches being a sign of hope for the world. They are a precondition of it. Following in the footsteps of its Lord, the church needs to go the way of the cross in the power of the Spirit. The cross is the

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963 Volf, "Soft Difference," 24 writes: ‘it might be appropriate to call the missionary distance that 1 Peter stresses soft difference. I do not mean a weak difference, for in 1 Peter the difference is anything but weak. It is strong, but it is not hard. Fear for oneself and one’s identity creates hardness. The difference that joins itself with hardness always presents the other with a choice: either submit or be rejected, either ‘become like me or get away from me.’ In the mission to the world, hard difference operates with open or hidden pressures, manipulation, and threats. A decision for a soft difference, on the other hand, presupposes a fearlessness which 1 Peter repeatedly encourages his readers to assume (3:14; 3:6). People who are secure in themselves—more accurately, who are secure in their God—are able to live the soft difference without fear. They have no need either to subordinate or damn others, but can allow others space to be themselves. For people who live the soft difference, mission fundamentally takes the form of witness and invitation.’
sign of the church; the church under the cross is a sign of hope for the world.\footnote{Miroslav Volf, "The Church as a Prophetic Community and a Sign of Hope," \textit{European Journal of Theology} 2 (1993): 20.}

Volf argues that ‘ecclesiality emerges from the church's status as a congregation assembled in the name of Christ’. Two conditions are associated with this position. The first is ‘the faith of those who are thus assembled … without faith in Christ as Savior, there is no church.’ The second is ‘the commitment of those assembled to allow their own lives to be determined by Jesus Christ.’\footnote{Volf, \textit{After Our Likeness}, 147.} According to Volf, other models of church ‘underestimate the enormous ecclesiological significance of concrete relations with other Christians, relations through which every Christian becomes a Christian and in which that person lives as a Christian.’\footnote{Volf, \textit{After Our Likeness}, 134} According to both models, these relations have a great deal to do with spirituality and yet nothing to do with ecclesiality.’

For Volf it is the open life stance of a strong community marked by gentleness that ‘is the flip-side of respect for the other.’\footnote{It is not an accident that both are mentioned together in [1 Peter] 3:16, where Christians are told to give an account of the hope that is in them ‘with gentleness and reverence.’} In practice the ‘soft difference’ facilitates both ‘culturally sensitive and culturally critical social embodiments of the Gospel’.\footnote{Volf, "The Church as a Prophetic Community and a Sign of Hope," 9, 16.} In effect Volf offers a fuller grasp of biblical wisdom for public life. This allows the Christian community to participate in public policy without capitulating to the demand that it become secular (a possible trajectory of Bonhoeffer’s model). Volf’s ‘soft difference’ also enables the Christian community to ‘live an alternative way of life in the present social setting, transforming it … from within’ thus avoiding the sectarian resignation to irrelevance (a
possible trajectory of Yoder’s model). The church community’s soft
difference (through its mission and witness) in the world is a work of new
creation grounded in the life, death and resurrection and Spirit of Jesus.

Volf’s Trinitarian framework allows the resurrection of Jesus and the life of
the Spirit to serve as the theological foundations of the ‘soft difference’
because ‘through the Spirit the resurrected Christ is the giver of life to the
whole world (cf. 1 Cor. 15:45)’ and ‘the church is not the first fruits of the
new creation, but it is the community of those who have tasted the first
fruits of the new creation.’

But does this third model accord with the
description of the early church community in Acts 16 (as I suggested in
chapter 7)? Volf notes that in seeking to indicate how church and world
relate, the text of 1 Peter ‘is conspicuously absent’ in Niebuhr’s influential
analysis, Christ and Culture. He rightly observes that the main theme of 1
Peter is ‘Christian life in a non-Christian environment.’ I have already
argued, based on Rowe’s interpretation of the early Christian community in
Acts and its relationship with the Romans, that the model of the Christian

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970 These are the grounds for Oliver O'Donovan’s argument that the church is uniquely
placed to help the world think about society, sharing, place, and judgment. See further
Oliver O'Donovan, The Desire of the Nations: Rediscovering the Roots of Political
Theology (Cambridge: Cambridge University Press, 1996), 243-284. While O'Donovan has
been criticised for ‘defending’ the liberal democratic tradition (that Hauerwas’s
denounces), he is defending Christ’s mission to the world: in defending freedom he defends
the life of Jesus who came and subordinated all earthly authority to God’s kingdom, in
defending mercy in judgment he defends the death of Jesus who suffered judgment for the
salvation of others, in defending natural rights, he defends Jesus’ risen life and the
vindication God’s justice for the world, and, in defending open speech O'Donovan defends
the gift of the Spirit to the early church at Pentecost.
971 Volf, "The Church as a Prophetic Community and a Sign of Hope," 17-18 notes ‘the
sign character of the church is its relation to the new creation. This is easily obscured by the
inconsistency of Christian's lives. But past failures should not lead to despair; rather, it is
necessary to establish a better theological basis for thinking of the church as a sign … both
the life of the church before the eyes of the world and its message to the world have their
ultimate point of reference in God's new creation.’
972 Volf, Captive to the Word of God, 67.
community in Philippi – also ‘conspicuously absent’ from Niebuhr’s analysis – best fits the description of soft difference.  

The Acts 16 model: reconciling practice in Philippi

I argued that the reconciling practice of Paul in Philippi displays four attributes demonstrating faithfulness to Jesus Christ in a mostly pagan (Roman) world. The Philippians community displayed hospitality (inhabiting hearts and homes); deliverance (disarming possession and oppression); salvation (forgiving and transforming) and resistance (reconciling and disrupting). My view is supported by Rowe’s thesis concerning the relationship between church and world in Acts.

Luke shows the Spirit directing the apostolic leaders and the early church community to love enemies, proclaiming forgiveness and being reconciled with its enemies. The apostle Paul, on behalf of the Christian community in Philippi, resisted a ‘cheap’ form of reconciliation-without-justice offered by the magistrates of that city. Luke’s account of events in the city of Philippi highlighted the hospitality of the Christian community in the houses of Lydia and the gaoler. The daily life of the Christian community in Philippi included mission (through hospitality and salvation) and witness (through deliverance and resistance). Each of these expresses the early church’s ‘soft difference’ with the world. In the final section of this chapter I propose a model of soft difference for the Anglican Church in its relationship with Indigenous Australians which bravely takes us from the

\footnote{Volf, Captive to the Word of God, 67-68; Rowe, World Upside Down, 5, 91, 150 demonstrates that the culture of the early church in Acts as a new creation is neither revolutionary (or seditious) nor compliant. As the early church expanded into the Roman empire a tension emerged between its mission and witness. Rowe argues that the church adopted an approach that was essentially to embody a ‘soft difference’ with the Roman world.}
first century world of Roman Philippi back to the twenty-first century world of secular Australia.

A public model: the Anglican church and Indigenous reconciliation

I am now ready to propose what a Christian community of restorative justice (in this instance, the Anglican Church of Australia) might offer Indigenous Australians. Can Anglican mission and witness expressed as a ‘soft difference’ constructively engage the need for justice and reconciliation beyond the more established approaches of organisation, therapy, ethics or conflict resolution? How does the life and death of Jesus make an appreciable difference?

There are compelling reasons for wanting to avoid the complexities associated with achieving reconciliation between Indigenous and non-Indigenous Australians. I am not Indigenous. I am an Anglican priest representing an institution with a history of misplaced presumptions and misguided policies in its dealings with Indigenous people. The practice of restorative justice among Indigenous Australians has not been uniformly welcomed or effective. The potential to repeat these mistakes of the past is ever-present. But the greater wrongs committed by Christians have probably been the sins of omission: silence, complicity and neglect. The movement for reconciliation in Australia needs the Christian community: its ‘kingdom’ imagination, its participation in the conversation and its convictions about Jesus that are embodied in action. My model hopes to avoid perils of this kind while making a modest contribution to reconciliation with Indigenous Australians.

The legal, social and political history of European Australia’s relationship with its Indigenous population during the last two decades has
included the recognition of native title by the High Court (Mabo, 1990) and an admission from the Commonwealth Government that Indigenous children were forcibly removed from their parents (Bringing Them Home, 1997). The latter was followed by a formal apology to Indigenous Australians by the Prime Minister Kevin Rudd, on 13 February 2008. Such gestures indicate progress in recognising the legacies of the past and improving relationships with Indigenous Australians in recent decades. Whereas Indigenous Australians were not included in the national census when I was born in February 1967, the first Indigenous Australian was recently elected to the lower house of Federal Parliament by popular vote.974

The Anglican Church has also reviewed and renewed its relationship with Indigenous Australians. At the time of the native title decision, John Harris released his magisterial One Blood which provided a comprehensive history of Anglican church missions.975 Harris’ documented an unusual mixture of institutional naivety and neglect with extraordinary commitment, care and advocacy by individuals and small groups. He is clear about the obligations of contemporary Christians with respect to past injustices. In his treatment of land rights, Harris dismissed the argument that claims are motivated by a ‘guilt industry’ arguing that ‘it may well require Christians to reflect seriously upon past injustices and accept a responsibility to right them.976 The title of his second volume, We Wish We'd Done More, expressed the widespread regret felt by many Anglican

974 Inclusion in the national census was changed after a successful referendum in May 1967.
975 John Harris, One Blood: 200 Years of Aboriginal Encounter with Christianity - a Story of Hope (Sydney: Albatross Books, 1994), 539-541.
976 Harris, One Blood, 856.
Christians in relation to their dealings with Indigenous Australians.977

Something ‘more’ emerged through the advocacy of Tom Mayne, a layperson, at the time of the Bringing Them Home report. He convinced the synod of the Anglican diocese of Sydney to establish a $1.2 million trust fund to provide for the appointment of two full-time Indigenous ministers. Mayne describes his personal journey as one from ‘neglect to reconciliation’ as he more fully comprehended reconciliation as central to the gospel.978 In a paper presented at Lausanne Congress meeting in 2004, Mayne highlighted two issues. First, he candidly observed that ‘historically, the Church with few (and some notable) exceptions, had turned its back on the injustices of the past.’979 Second, he noted that

many issues still need to be dealt with. While the federal government apologised in February 2008, the question of compensation remains unaddressed … there is an enormous backlog of neglect to be addressed. Reconciliation comes with a price. Just as Christ paid the ultimate price on the cross, true reconciliation for us will not be cheap. It will cost us our pride, our prejudices, our racism and our indifference.980

Mayne identified a series of theological issues surrounding Indigenous reconciliation that were still to be addressed including the trajectory of an evangelical theology of the cross that did not connect with obligations of restitution, reparations or making amends.981 The issue of post-

977 John W. Harris, We Wish We'd Done More: Ninety Years of CMS and Aboriginal Issues in North Australia (Adelaide: Openbook, 1999).
979 Mayne, "The Treatment of Australian Aborigines and the Church's Role in Reconciliation," 538.
980 Tom Mayne, "The Treatment of Australian Aborigines and the Church's Role in Reconciliation (Revised)," (unpublished paper at Sydney, 23 October 2010).
981 The evangelical theology of Jesus’ death rightly affirms that God does not need or want our restitution or amends because we cannot ‘repair’ God in any meaningful sense. God-in-Christ reconciles us to himself through Jesus' death on the cross (in the vertical act of reconciliation, vertical justice is done).
reconciliation justice can be addressed through a Christian community of restorative justice. What steps does the Anglican church need to take in attending to the ‘injustices of the past’ in relation to Indigenous Australia? How should the Anglican Church imagine, converse and act as Jesus’ followers in this set of circumstances?

The Anglican Church must first address those dimensions of its life where it has lagged behind ‘secular’ approaches. First, it needs to adopt the necessary processes for reconciling itself with Indigenous Australians (organisational tools like facilitated conversations). Second, it must acquire and hone the skills necessary for repenting and seeking forgiveness from Indigenous people (therapeutic tools such as REACH). Third, it should articulate an integrated social ethic for life with Indigenous communities (ethical tools including valuing particularity and interconnectedness). Fourth, there is a need for deeper relationships with Indigenous people (nurtured through conflict resolution tools like middle-level actors, leaders and ‘third’ places). Each of these approaches is necessary but together they form only a partial response to the demands of justice and need for reconciliation. In restoring justice with the Indigenous Australian community, the central argument of this thesis comes into sharp focus.

The first step is Jesus’ teaching to love one’s enemies. As an Anglican I belong to a community that has wronged Indigenous people, many of whom have turned the other cheek and remained within the

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Anglican church. The faithful *enemy-love* of these Indigenous Anglicans exposes our collective wrongdoing by remembering it, seeing us (non-Indigenous Anglicans) as brothers and sisters in Christ and persisting in their desire to be reconciled with us. Because Anglicans are largely ignorant of, or simply neglect, wrongs committed in the past, the first response for the Anglican church needs to be confession followed by repentance. The second step emerges from Jesus’ death by and for wrongdoers. Forgiveness is possible through the crucified One whose suffering connects us with the suffering of those we have wronged. At the cross we are both forgiven and re-orient our lives to exist for others. Solidarity with Indigenous Australians can reconnect justice with justification and reconnect reconciliation with the gospel for those Anglicans who hold these convictions apart. The third step is to accept the obligation of reconciliation to make amends. This culminates in the fourth step of making space and building relationships through hospitality and the extension of a reconciling embrace for Indigenous people.

The crucial *theological* question of how the Anglican church should *practically* ‘make amends’ is striking, controversial and complex, especially in relation to the stolen land of Indigenous people. This matter was recently raised by the Anglican theologian Peter Adam who saw it as a

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983 Priority must be given to the theological question, why should the church make amends? Before moving to the practical, how might the church make amends? But neither should the former become an excuse for not completing the latter. A new group is in the process of exploring this issue. See "Anglicans for Restitution," 2010, available from <http://www.anglicans4restitution.org> (Date accessed: 9 November 2010). ‘Anglicans for Restitution is a movement among Anglicans in Melbourne Diocese who wish to work towards making restitution to the Indigenous people of Australia, for the land taken from them during European settlement. We believe that the appropriate response by Anglicans for taking land from the local custodians in the settlement of Victoria, for use as church property, is repentance and restitution. We seek to motivate and encourage Anglicans to make appropriate recompense for the land which was taken.’
‘duty and debt of love’ that he felt he owed Indigenous Australians. He identified the question of ‘whose land?’ as ‘one of the great issues facing Australia’. His proposal affirmed the series of steps I have just outlined: ‘it is right to apologise … it is time to repent … and it is time to make recompense.’ In his provocative – but earnest – suggestion that non-Indigenous people should offer ‘to leave’ (Australia), Adam does not seem to differentiate between repairing the past and undoing the past:

We could also implement voluntary recompense by churches in a coordinated way, and should include support of Indigenous Christian ministry and training, as negotiated by the leaders of Christ’s Indigenous people. Christian churches should lead the way in this, not least in supporting Indigenous Christians and their ministries. For churches too have benefited from the land they use, and from income from those who have usurped the land.  

These worthy proposals are not sufficiently grounded in a theological approach to restitution. Rather, they recall Aristolean notions of justice as ‘treating equals equally and unequals unequally’, and embody a Rawlsian approach to justice as fairness. His proposal even seemed to be grounded in inherent rights (so, Wolterstorff). But Brunner insisted that the concern for justice was precisely ‘the point at which Christian theology must be called.’ How does a holistic Christology enable the Anglican church to ‘make amends’ theologically and practically with Indigenous Australians?

The little-known story of Anglican priest, Alf Clint, and his work in establishing Aboriginal Christian Community Cooperatives and Tranby College at Glebe during the 1940s and 1950s is an example of

where practical action embodied theological wisdom. In the recent golden anniversary of Tranby, an Indigenous Member of Parliament, Linda Burney, made the following remarks about Clint’s vision:

In this climate, Tranby’s founder, Alf Clint, was a man who could see further than most of those around. He could see a better way forward. As he wrote in 1956, ‘Which do YOU think is better – for missions or governments to run plantations, cattle stations and luggers, or for the native peoples to own them themselves?’ So Tranby was established years before the campaign for the ‘Yes’ vote in 1967, decades before the full throated roars of the Land Rights and the Tent Embassy … despite the fact that reconciliation has come a long way, reconciliation cannot be realised without social justice for the First Peoples … the work is not finished, not by a long shot.

Decades before the contemporary restorative justice movement had begun, Clint keenly appreciated the necessity of holding reconciliation and justice together. Through his work, Clint demonstrated that justice, conceived as making amends, was a necessary part of the church’s witness and mission to Indigenous Australians. Clint was a middle-level actor who created a third place for inner-urban Indigenous Australians that, 45 years later, continues to exist as a significant relational network in the neighbourhood of Glebe.

The restitution made by Clint on behalf of the Anglican church comprised

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985 Kylie Tennant, Speak You So Gently (London: Gollancz, 1959), 96-100 records the gift this way: ‘‘Yes; tell him [Clint] he can have ‘Tranby’, the Rector mused … He had given away thousands of pounds worth of property, just like that. He deeded it to the co-operative section of the Australian Board of Missions to be run by them on a co-operative basis. At the public meeting chaired by the Archbishop of Sydney [Marcus Loane], addressed by Federal and State Ministers for Native Affairs … Alf was one step further forward with his dream.’ See further "Tranby, a Pioneer in Indigenous Adult Education," Accord (Australian Centre for Co-operative Research and Development) 2006, available from <http://www.accord.org.au/social/profiles/tranby.html> (Date accessed: 25 May 2009).


987 I am not making the anachronistic claim that Clint held a Christologically inspired restorative justice framework – he probably held a Marxist paradigm for empowering the working class. Nonetheless, the comparative visions of Jesus and Marx are not as far apart as many assume. This was demonstrated by (among many others) Jacques Ellul, Jesus and Marx: From Gospel to Ideology (Grand Rapids: Eerdmans, 1988), 60 who quipped that ‘although many follow the road from Jesus to Marx these days, some follow the road from Marx to Jesus.’

988 The author served as rector of the Anglican parish of St Johns Bishopthorpe, Glebe from 2003-8.
the physical value of a parcel of land and its buildings. But Tranby was also a place where relationships were restored. It was established as a place to preserve and restore Indigenous laws, customs and memories and to provide tertiary qualifications. The college addressed Indigenous needs. The ‘four top priorities’, recently identified by Indigenous pastor and theologian Ray Minniecon, were ‘education, building empathy, building changes in principles and practices, and building an Aboriginal lifestyle of proficiency and competence.’ Drawing on the image of the campfire as ‘home’ in Indigenous culture, Harris has shown that ‘around the fire [was] where people gathered and where the important bonding activities took place. The fire itself could be anywhere within a particular tract of ancestral land. It is this land itself which takes on the nature of ‘home’.’ Tranby College symbolised the campfire and became ‘home’ to many Indigenous young people from the institutional ‘Mission homes’ operated by the Anglican church. The gift of Tranby incorporated both the financial and symbolic value of land for displaced Indigenous people in Sydney’s inner city.

The symbolism of returning this land to Indigenous people is deepened when the history of the area known as ‘Glebe’ is recalled. This land was itself a ‘gift’ to the Anglican church in the early days of European settlement. Before settlement, the land belonged to the Cadigal people of the

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989 See further <http://www.tranby.edu.au> (Date accessed: 12 November 2010)
990 “Anglicans for Restitution.”
992 The Rev’d Wayne Connolly, personal communication, 24 November 2010. Now an Anglican priest working in remote Indigenous communities in far north Queensland, Wayne recalled the importance of Tranby College (and an aging Clint) in his transition from life on the mission to life in the world.
Eora nation. The theological dimensions of making amends through the gift-return of land can now be seen. The first symbolic meaning is for non-Indigenous Australians who never lawfully ‘owned’ the land. Rather, they saw themselves as custodians. But several decades before Indigenous native-title was enshrined in Commonwealth law, the return of a small parcel of land in Eora/Glebe to its original custodians was made possible because the Anglican church held property in ‘trust’. The land’s return was facilitated by a theology that does not hold that the church ‘owns’ the land – a view shared by original ‘custodians’. Contemporary followers of Jesus must relearn the ancient biblical truth that everything we possess is a gift, including the homes and church buildings of wealthy Anglican Sydneysiders. The righting of wrongs includes a deeper symbolic meaning for Indigenous people because land is ‘a definable location where important personal events have taken place, where bonding occurred, a place of birth and life and death.’ For a sustainable future, the deep connections between land, justice and reconciliation need to be remembered by the contemporary followers of Jesus.

I turn now from the particularity of Tranby College to the contemporary issue of post-reconciliation justice between the Anglican church and Indigenous Australians. A brief discussion of hospitality – being the church for others – will illustrate the distinct contribution of the

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993 The legal dimensions of property ownership and transactions are immensely complicated and cannot be discussed here. See Donald Shriver, "Repairing the Past: Polarieties of Restorative Justice," *Cross Currents: Journal of the Association for Religion and Intellectual Life* 57 (2007): 209 rightly cautions ‘here are few subjects so fraught with ambiguity than that of ‘repairing the past.”

994 These spiritual realities are awkwardly compressed into the English concept of ‘sacred sites’ which encompass law, custom and memory. See Harris, "Home," 21 and for a brief history of the Eora people see further <http://www.cityofsydney.nsw.gov.au/barani/themes/theme1.htm> (Date accessed: 8 November 2010).
Christian community. The exclusion of Indigenous people from many aspects of Australian life is repaired through the hospitality of the church whose way of life is to welcome the stranger and embrace the prodigal. What practices does this require?

First, most Anglican churches can be more hospitable by simply extending friendship to Indigenous people and by helping to overcome ignorance and neglect of Indigenous issues. Second, the Anglican church needs to devolve decision-making and resources for Indigenous ministry to local partnerships, grounded in a richer theology of mission and witness of, by and for Indigenous people so as to preserve the hospitality of the Anglican church and to prevent it from returning to an older-style paternalism.995 Third, genuine partnerships between local churches and Indigenous communities which reflect ‘guests and hosts working together’ must become the dominant feature of the church’s mission and witness.996 Fourth – and a more significant challenge for the Anglican church – is not restricting hospitality to the symbol of the shared meal and the provision of financial resources. Hospitality must include shared land, building and places (illustrated by the gift of the Glebe building and land in the 1950s). A recent example of such extended hospitality is the willingness of Anglican schools to provide financial scholarships for Indigenous education. One

995 See Robert J. Banks, "Theology of, by and for the People," in Theology in a Third Voice (eds. Hynd, et al.; Adelaide: ATF Press, 2006), 70, 77 notes the example of Bonhoeffer’s Life Together and the need to ‘translate the theology of the Church into concrete working models’ and that ‘it is no accident that the expression theology of everyday life was first coined here [in Australia].’ The trust fund established by the diocesan synod in Sydney during the 1990s to support Indigenous ministry, and subsequent oversight by committee, still suffers from paternalism. Without prior consultation or support, that committee has recently decided to sell the building that housed Indigenous ministry in Sydney’s inner-city since the 1970s.
996 Harris, One Blood, 663-685 illustrated this facet with some of the innovative and hopeful approaches that have been tried including the Aboriginal Evangelical Fellowship.
prominent Anglican school, St Andrews Cathedral in Sydney, extended hospitality by establishing the Gawura campus for Aboriginal and Torres Strait Islander students. 997 Fifth, and most costly, individual parishes, organisations and entire dioceses should consider making amends by returning a parcel of land or a building to Indigenous people. Rather than Anglicans ‘leaving Australia’ as Peter Adam suggested, the Anglican community could create ten, twenty or even fifty ‘Tranbys’ across the country. These ‘Tranbys’ would not be ends in themselves. They could become relational places of hospitality and partnership where continuing obligations and needs could be addressed.

In summary, the history of wrongdoing by the Anglican Church towards Indigenous Australians can be named and forgiven through Jesus Christ. I have outlined an approach for this to occur. Financial and symbolic restitution can be made through the hospitality of the Christian community towards Indigenous people by extending the relationships and physical places necessary for the continuing the work of reconciliation and justice.

Conclusion

I have deliberately finished in a prophetic and, I trust, hopeful tone. The church can be a community where the disciplines of imagination, conversation and embodiment are practiced, albeit imperfectly. The kind of community life that is necessary includes – but is not exhausted by – organisational, therapeutic, ethical and conflict resolution approaches. If, as I have argued, the most promising developments in restorative justice are in

‘third places’ (like schools, workplaces, neighbourhoods), there is a distinct and continuing role for church communities. I have developed a constructive model for the Christian community that emerges through its ‘soft difference’ with the world. The model proposed can be used to further the unfinished business of the Anglican church’s relationship with Indigenous Australians in the hope that they can be reconciled justly.
Conclusion

I have argued that restorative justice requires a holistic Christology. While biblical accounts of justice have been influential in shaping the international restorative justice movement to date, there has not been any theological contribution of substance to come from within Australia. I have shown that theology provides an alternative to the therapeutic outlook (such as the theory of affects – especially shame) which has dominated local theory and practice, limiting its appeal for public policy makers. In a more positive sense the fact of limited implementation has forced Australian restorative justice practitioners to adapt their work for other spheres such as schools, workplaces and local neighbourhoods. I have focused on two resources that will help to create and sustain reconciling practices for individuals and communities.

The first was to develop a more integrated understanding of Jesus’ life, death, resurrection and the Spirit in the hope that this understanding would enhance and deepen existing theological contributions to restorative justice. Through Luke’s holistic account of Jesus Christ, I argued for the primacy of enemy-love in what Jesus taught, the manner he lived, the reasons for which he died, his risen life and the communities animated by his Spirit. Theologically, enemy-love not only holds together the demands of reconciliation and justice, it is essential in attending to the obligation of post-reconciliation justice. When the enemy is loved to the point where it has become a neighbour, a guest or even a friend, the obligation to make amends emerges more clearly from this reconciled relationship. My reading of Saul’s Damascus experience as a restorative justice encounter with the risen Jesus was foundational to this argument. A
holistic view of Jesus’ life, death, resurrection and Spirit is also required for reconnecting theory and practice in restorative justice, as well as theology and discipleship in Christian communities. Much more, of course could be said. Future research is needed into how Christology and Pneumatology inter-relate for restorative justice. Barth spoke of the Spirit as the redeemer. A potential line of inquiry could examine the work of the Spirit in relation to the earthly Jesus and his reconciling practice. In the present study there is only one mention of how the Spirit enabled this to occur. As I have noted, continued research in the Pauline epistles would confirm and deepen further the theological resources that are available for restorative justice.

The second resource upon which I have focused is the identification of third places (such as neighbourhoods, schools, workplaces and churches) and the role of middle-level actors where people and place facilitate a justice that restores. The theological approach I have developed points to and provides explicit practices such as imagination, conversation and embodied action. Because enemy-love must be lived out in daily situations where wrongdoing mars social networks (between neighbours, colleagues and classmates), theological reflection and practical action also intersect in third places through middle-level people. In the final chapter I described several concrete models that make sense of these intersections. While different communities can be sites for the work of restorative justice, I have argued that the Christian community – including the practices of Christian discipleship – are uniquely placed as third places with middle-level actors. Rather than relying solely on sociological approaches to third

places and middle-level actors, theology offers rich resources for further research.

I now return to the young man introduced at the beginning of this thesis who hit me with a Bible. How could the restorative justice of the Christian community be in any way compelling to him in the face of rival approaches to justice? What will he make of my proposal that enemy-love – understood in the light of Jesus Christ – achieves reconciliation and justice? Here I will briefly reject each of the available options to him in light of my argument. First, enemy-love is more compelling than the officially ‘recognised’ justice systems of the police and courts because it is not the justice of the powerful, wealthy and educated. Enemy-love does not seek to secure any advantage over (or to dominate) the other party through an adversarial system of justice. In fact, I have shown that a desire for ‘real justice’ for young offenders like this young man led to the birth of restorative justice in Wagga Wagga, Australia. Second, enemy-love is more compelling than the often brutal ‘retaliatory’ justice of the street, because it is not a destructive cycle of ‘tit-for-tat’. Enemy-love expresses itself as solidarity with the wrongdoer, even existing for the wrongdoer. More exacting that nonretaliation or nonviolence, I have shown that forgiveness emerges from enemy-love. Third, enemy-love is more compelling than the distant and ‘respectful’ justice of the therapists because it involves conversations that remember, name (judge), question and recognise the further obligation to make amends. Enemy-love imagines reconciliation with the ‘heavenly’ enemy and willingly bears the cost of forgiving, embracing and repairing in more than just symbolic ways.
The reconciling, ‘restorative’ justice of the Christian community is the most compelling way of justice because it is the way of Jesus Christ. It is enemy-love of the saving victim and merciful judge. In the arms of the living, crucified and risen One, justice is done as the young man is reconciled.
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