

## **CRIMINAL JUSTICE AT A CROSSROADS:**

*Are we called as Christians to new hearts and minds?*

*As Christians we are called to act from “hearts of flesh” and not from “hearts of stone.” What does this mean when it comes to crime? To Justice? To dealing with victims, offenders and the justice system? We’ve remained silent about this for too long.*

**Canadians are now being asked to make crucial choices about how we deal with crime.**

### *More Incarceration?*

All the major political parties have been voting to increase incarceration. We can expect more people in prison for longer periods of time. Our governments, federal and provincial, stand poised to invest considerably more money into building new prisons as a result of recent legislation, with more proposals still headed in the same direction.

After monitoring criminal justice for over 34 years, CCJC is convinced more incarceration will not better assist victims of crime and keep our communities safer. Yes, there are special and often sensational cases where some form of incapacitation is required. However, by and large, for the vast majority of cases, other options available could achieve better results, and at lower financial, social and human cost. The research is clear: building more prisons is a poor investment strategy. The experience of the US is conclusive: after decades promoting increased incarceration at the expense of essential services like health, education and housing, they are now reporting that this has not been good value for money, not for victims of crime nor for the rest of the community.

If we want our tax dollars used for programs and services beneficial to all Canadians that are also proven to be more successful than prisons at preventing crime and reducing re-offending, now is the time to engage our leaders in public dialogue about these important issues.

### **Criminal justice from a Christian perspective: Do we need a change of heart?**

*Experiences of crime and punishment raise ultimate questions: the meaning of life and the suffering of loss, the inherent dignity of every person, love of neighbour, mercy and justice, the preferential option for the poor, community solidarity, the common good, proper stewardship of public resources. The reality of evil. The healing of wounds. Responsibility and accountability. Redemption from sin. The power of grace. Forgiveness. Reconciliation. Restoration.*

Scripture speaks to these realities and Jesus’ life repeatedly calls us to the attitudes and actions expected of his followers. Some examples are given below. Are these the values and attitudes that direct our actions to those who have been victimized by crime, to criminal offenders, to our criminal justice system? None of this wisdom excuses or minimizes wrongdoing. All of this wisdom invites us as disciples to care about those on all sides of crime and wrongdoing, and wherever possible to participate or influence meaningful interventions and outcomes.

*The story of the Good Samaritan: take care of the victim, do not pass by a crime scene. (Luke 10).*

*The return of the Prodigal Son: forgiveness and the healing of broken relationships (Luke 15).*

*Caring for those in prison is caring for Jesus himself (Matthew 25).*

*The central theme of mercy throughout all of Jesus' Teaching: Do not take revenge on someone who wrongs you...Love your enemies and pray for those who persecute you, so that you may become the sons and daughters of your Father in heaven. For He makes his sun to shine on bad and good people alike, and gives rain to those who do good and to those who do evil. (Matthew 5)...Forgive...seventy times seven (Matthew 18).*

*God's love is genuinely tough love, tough to love this way, to embrace all who are caught up by crime.*

*Jesus' forgiveness of the woman caught in adultery and of the criminal on the cross (Luke 23).*

*The admonitions of Paul: Do not seek revenge...Do not let evil conquer you, but use good to defeat evil (Romans 12).*

### **Disturbing questions about the kind of criminal justice system we still have in Canada.**

Canada's criminal justice system has long been based on retribution: for many people, justice is still measured in terms of punishment. This is an approach that we have all grown up to believe in and trust. But it is this emphasis that has led to an over-reliance on incarceration, and to adversarial courts and legal technicalities that rarely lead to a satisfying human experience of justice. Such a system does not encourage offenders to take personal responsibility or to tell the truth. It rarely addresses the healing needs of victims. They often feel that they are on trial. They can become embittered with anger, grief and pain that can last a lifetime. A system emphasizing retribution does not provide adequate rehabilitation programs for those in prison, since these are not priorities. There are high rates of repeat offending. Such a system fails to respect all human dignity, that of both victim and offender. Communities harden their hearts to offenders and give up on them. Proposals for harsher penalties seem like apt solutions, even though they have long been shown to be ineffective. The threat of longer sentences will also make matters more adversarial, and therefore worse for victims.

**There are alternatives.** There is significant evidence that victims of crime, offenders and their communities benefit more from an approach to justice that emphasizes responsibility, reparation and restoration. Should our society move towards this approach that views justice as encompassing compassion, mercy and healing?

We can begin by listening respectfully to the experience of those who are suffering from the way things are done now, victims of crime, the accused, offenders, their respective families and communities. And we can learn how other options and services are already proving to better respond to many of their needs. As Martin Luther King Jr so powerfully reminded us, Jesus was not just about pious words. He was about bold action too. And He gave his disciples a demanding formula for this: 'Be wise as serpents, and harmless as doves'. Act with a tender heart, a heart of flesh that can feel the other as a heart of flesh too; but also with a robust mind. We have been commanded to love not only with our hearts and souls, but also with our minds. It is not enough to mean well if we continue to do the wrong thing out of ignorance and blindness.