Justice. A very controversial issue at the moment and probably at most times. We have a Ministry of Justice and Ken Clarke is the Lord Chancellor, so it must be important. In fact it is a highly political issue, because justice is very much a matter of public safety, one of the key roles of the state, but locking people up also costs a lot of money, money that could be used for other important needs. It sometimes seems that our justice policy lurches between acting tough in response to the tabloid’s outcry over some horrific crime and asking for softer sentences to reduce the prison population.

I see this in my work as a magistrate. We have to work according to pretty detailed sentencing guidelines that set out what the appropriate sentence is for each type of offence in various circumstances. For example, for Common Assault where no injury was caused our starting point is a fine; one agrravting factor such as use of a weapon or head butting raises it to a community order and two aggravating factors to custody.

Now this all sounds very complicated. Shouldn’t it be very simple? Can we not just give criminals a “taste of their own medicine?” If they injure someone, injure them. If they kill someone, kill them. This is often known as the “eye for an eye and tooth for a tooth” approach. We hear Jesus mention it today’s reading and it comes from the book of Exodus, where the list is actually rather more comprehensive: “Whenever hurt is done you shall give life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burn for burn, bruise for bruise, wound for wound.” A lot of people think this is very reasonable, although it doesn’t really bear thinking about what we should have done with a young man I saw on Friday who had smashed a glass in someone’s face in a Cheltenham night club. In fact, as some of you may know, this was actually a relaxation of an earlier formula in Genesis, where one of Cain’s descendents, Lamech says: “I kill a man for wounding me, a young man for a blow.”

So we can see that the “eye for an eye” formula was seen to be quite merciful and restrained. Unlike the ancient practices the OT code of justice prevented unrestrained and disproportionate vengeance or retaliation; one could only punish up to the limit of the offence they had caused. Actually that is not as easy as it sounds. If someone kicks us on the shin we might be inclined to lash out and punch them on the nose. That would certainly have been wrong then, under Jewish law, and is illegal now under our law, in case you were tempted.

Against this background we can see just how radical Jesus’ new teaching was. The Jews thought that they already had a pretty sophisticated legal code, which was probably more humane than that of surrounding tribes. But this wandering teacher was preaching a doctrine that made no sense at all. Even worse, it did not seem about punishment or retribution at all. Instead it was more like rewarding bad behaviour! If someone slaps you on the right cheek, offer him your left. If a man takes you to court for the value of your shirt, offer him your cloak as well. If a Roman citizen demands that you carry something for him for a mile (as they were entitled to do) carry it two miles for him. I think we can imagine the commentators of the time, much like those today, crying “going soft on crime!”

Was Jesus really against justice for wrongdoers? Did he not accept the need for punishment, even to stop people repeating or even increasing their bad behaviour? Was he not being ridiculously optimistic about human behaviour and society? Well, I don’t think so. As so often, the meaning of what Jesus says is not simple and straightforward, so let me try to steer us through it. One important clue is in verse 45: “…your heavenly Father, who makes his sun rise on the good and evil alike and sends his rain on the honest and dishonest. There is an important truth in this, fairly well known, passage of scripture. It is that God treats good people and sinners, or outright evildoers in exactly the same way. To some that seems, counterintuitive, astonishing or even scandalous. But it is true! How can it be? Surely God punishes sinners? Well perhaps he does, but not in the simple, tit for tat, way that we can understand. The fact is that this wonderful world is available in exactly equal measure to all humanity, not just the good ones. And bad things happen, to good people as well as evil-doers. Elsewhere in the gospels Jesus points out exactly this when people ask him whether the Galileans whose blood Pilate had mixed with their sacrifices, or those killed by the collapse of the tower at Siloam were being punished for their sins. Jesus responds by saying: “do you imagine that they were more guilty than all the other people living in Jerusalem? I tell you they were not…” I think the message is clear; God treats everyone equally, however much of a sinner they are. What we may see as divine retribution is nothing of the kind, bad things just happen.

This is a statement about God’s justice and the way the world is. God’s justice is for him in his own way at a time of his choice, it is not built into the everyday world in a simplistic reward or punishment way. That also means that we should not see ourselves as doing God’s work in any retribution or punishment we may hand out to those whose behaviour we find unacceptable. So this is an important part of what Jesus is telling people, that God’s purpose in the world is not punishment but love. But there is another message which is equally important.

Jesus says: “you have learned that they were told, love your neighbour, hate your enemy. But what I tell you is this: love your enemies and pray for persecutors, only so can you be children of your heavenly Father…” I think this is where we really get to the heart of the matter, of what Jesus is telling us about justice. Because it is not really about the effect of justice on the criminal or offender. It is about the effect on us. Not about us as victim but us as a person who now has some hold over this offender; we can punish them or call for their punishment. Morally this puts us in a powerful position, as a wronged person who is owed something. That it is why it is so dangerous. We are in a position of power, but that is a position of dreadful responsibility and danger. Few if any of us have the moral strength to do justice to someone who has injured or abused us. It is just too easy to extract vengeance, to overreact, to enjoy seeing our abuser abused. That leads to us also being spiritually damaged. This is why Jesus calls us to love our enemies, pray for our persecutors. Only in that way can we limit the damage, create a firebreak for evil if you like. Our enemies have already been spiritually damaged by what they have done to us. If we seek to take revenge, to punish in return, then the power of evil has jumped to us as well and multiplied its effect, because our family and friends will take our side and urge us on. If we say no to that and return evil with love we neutralise that spreading black tide; the evil in our persecutor remains confined to them and so weakened.

This is the example set us by Jesus and subsequent Christian martyrs, who have prayed for their killers, even as they were dying at their hands. I think experience shows us that that is the only way to contain and neutralise evil.

You may well wonder whether this is an argument against justice, an argument that we should let murderers, rapists and petty criminals go unpunished? It is not. Earlier in this chapter of St Matthew we hear Jesus refer to someone being handed over to a judge and imprisoned for a debt as a matter of fact, without any criticism of the process. What Jesus has been talking about is our personal response to those who injure or abuse us, not the administration of justice by the community or the state. But his arguments do have important consequences for how justice is administered and we see the issue arising everyday in the media. For we have a system where justice is done by juries, impartial judges and by justices of the peace for more minor crimes. The core of this system is that justice is done impartially, on the facts of the case, by those with no direct connection with the crime. As a magistrate I have to stand down from the bench if I am a friend or relation of the accused, or the victim, or if the crime is one from which I have recently suffered myself. There is too big a risk that I would not be impartial in such cases.

One of the current threats to this impartiality is the emphasis on the victim’s feelings. We now routinely hear victim’s statements in court and even more often in the media for serious crimes. Now, while it is quite right that those passing sentence should be aware of the physical, psychological and financial effects of the crime on the victim, as that defines the seriousness, the emotional response of the victim is another matter. We must take care not to feel obliged to reflect the emotional response of the victim, understandable though it is, in how we do justice. Otherwise we are falling into the trap that Jesus warns us against, confusing justice with vengeance and letting ourselves as a society become tainted by the evil of the criminal acts we are exposed to.

But that’s enough, I must not get drawn in any further to justice and sentencing policy, when you came to hear about spiritual matters. What is important is that we understand our personal approach to sins committed against us. We may hate the sin, but we must try to love the sinner, even when we have been injured, abused or humiliated. To do that is not to condone the sin, but to neutralise the evil, to preserve our own spiritual health and to open ourselves up to receive forgiveness for our sins. I will just finish with a prayer of Christina Rossetti:

*O Lord, because we often sin and have to ask for pardon, help us to forgive as we would be forgiven; neither mentioning old offences committed against us, nor dwelling upon them in thought; but loving our brother freely as thou freely lovest us; for thy name’s sake.*