

## Repentance and Repair, or “Ethical Bungee Jumping”? Forgiveness in the “Seventy-Times-Seven” Instructions and Victim-Offender Mediation

When Clair and Anna May Weaver were brutally murdered by their fourteen-year-old son Keith in 1991, the response from Landisville Mennonite Church was immediate. In addition to caring for surviving family members, Pastor Sam Thomas created support groups for the community and began providing legal and social assistance for Keith. In the early days after the murders, Thomas encouraged the congregation to “understand what it means to forgive,” and to “think about their intent to forgive.”<sup>1</sup>

1. Andrea Schrock Wenger, “How Does a Congregation Deal with a Triple Murder?,” *Gospel Herald*, February 9, 1993, 6. The now-defunct *Gospel Herald* was a news organ of the Mennonite Church from 1908 to 1998. I received a scanned copy of this article courtesy of Colleen MacFarland of the Mennonite Church USA Archives on April 17, 2012.

A few months later, church members had established the “70×7 Fund” to help with the legal, therapeutic, educational, and personal needs of Keith Weaver. Through the fund, the congregation acknowledged their “biblical responsibility to have compassion for both victims and offenders and their desire to forgive and continue forgiving, even ‘seventy times seven,’ as Jesus called his disciples to do in Matthew 18.”<sup>2</sup>

In reporting on these events, Andrea Schrock Wenger calls the fund a “modern response to an ancient command.”<sup>3</sup> She presents the story of the church’s actions as an example of restorative justice in action. Indeed, Howard Zehr, widely regarded as the founder of the restorative justice movement, cites the community’s response as a shining example of right response to crime. He writes, “[The] only justice [is one] that treats each actor as a full participant . . . that encourages communication and empathy, that addresses the needs of victims as well as offenders.”<sup>4</sup> Zehr cites the “70×7 fund” as a model of restorative justice practice. Its name, he observes, recognizes that “forgiveness [is] a decision that would need to be made over and over, ‘seventy times seven.’”<sup>5</sup>

The church’s response to the murder in their midst—as well as Zehr’s analysis—goes to the heart of the restorative justice movement in which advocates offer an alternative to the so-called “retributive” criminal justice system and criticize its emphasis on punishment. Privileging such values as forgiveness and reconciliation, they emphasize the humanity and agency of the victim, the offender, and the community. In their view, the essence of crime is a broken

2. Ibid., 7.

3. Ibid.

4. Zehr, “Restoring Justice,” in *God and the Victim: Theological Reflections on Evil, Victimization, Justice, and Forgiveness*, ed. Lisa Barnes Lampman and Michelle D. Shattuck (Grand Rapids, MI: Eerdmans, 1999), 159.

5. Ibid., 154.

relationship and the goal of restorative justice is to repair that breach.<sup>6</sup> Even when there was no relationship prior to the offense, many restorative justice advocates contend that the crime creates a relationship, and that relationship is worth restoring.<sup>7</sup> As Mark Umbreit observes, “Restoration of the emotional and material losses resulting from crime is far more important than imposing ever-increasing levels of costly punishment on the offender.”<sup>8</sup>

In this chapter, I examine the intersection of Scripture and law in the restorative justice movement and specifically in the practice of victim-offender mediation (VOM). Since many restorative justice advocates cite biblical foundations for their work,<sup>9</sup> I address how they interpret the community instructions about forgiveness in Matt. 18:21–22 and Luke 17:3–4 and apply them in this context. Advocates often use these texts to promote unlimited and unconditional forgiveness. However, a closer look at the biblical texts demonstrates definite boundaries within the forgiveness instructions, boundaries that are often transgressed in VOM practices.

First, I review the history of interpretation of the so-called “seventy-times-seven” instructions on forgiveness. I show how these

6. On crime as broken relationship in restorative justice, see Howard Zehr, *Changing Lenses: A New Focus for Crime and Justice*, Christian Peace Shelf (Scottsdale, PA: Herald Press, 1990), 184; Daniel W. Van Ness, *Crime and Its Victims* (Downers Grove, IL: InterVarsity Press, 1986), 137; Elizabeth M. Bounds, “For Prisoners and Our Communities,” in *To Do Justice: A Guide for Progressive Christians*, ed. Rebecca Todd Peters and Elizabeth Hinson-Hasty (Louisville, KY: Westminster John Knox Press, 1989), 37; Christopher D. Marshall, *Beyond Retribution: A New Testament Vision for Justice, Crime, and Punishment*, Studies in Peace and Scripture (Grand Rapids, MI: Eerdmans, 2001), 73; Stuart Wilson, “The Myth of Restorative Justice: Truth, Reconciliation and the Ethics of Amnesty,” *South African Journal of Human Rights* 17 (2001): 553; Keith Allen Regehr, “Judgment and Forgiveness: Restorative Justice Practice and the Recovery of Theological Memory” (PhD diss., University of Waterloo, 2007), 37; Conrad G. Brunk, “Restorative Justice and the Philosophical Theories of Criminal Justice,” in *The Spiritual Roots of Restorative Justice*, ed. Michael L. Hadley (Albany, NY: SUNY Press, 2001), 48.

7. Zehr, *Changing Lenses*, 51.

8. Mark S. Umbreit and Jean Greenwood, *Guidelines for Victim-Sensitive Victim-Offender Mediation: Restorative Justice through Dialogue*, U.S. Dept. of Justice, Office for Victims of Crime, NCJ 176346 (St. Paul, MN: Center for Restorative Justice and Peacemaking, 2000), 1.

9. See chapter 1, n. 78.

verses teach a forgiveness that is boundless but conditional, and I situate them in their context of a set of instructions intended to strengthen the nascent Christian community. In examining the process of forgiveness described in Matthew and Luke, I find that the call for repentance given explicitly in Luke 17:4 and implied in Matthew's discourse on community discipline (18:15–20) is highly valued among early church fathers and Reformers, but is often lost in the celebration of “radical forgiveness”<sup>10</sup> that is the hallmark of restorative justice and mediation practices. I also show how current interpretations enlarge the definition of forgiveness, downplay the role of repentance, and conflate the biblical instructions with contemporary psychological notions of forgiveness.

Next, I show how VOM practices are both consistent with and also antithetical to the biblical forgiveness instructions. Jesus's instructions—especially in Matthew—serve as directions for resolving conflicts within the community, a process that ideally ends in forgiveness. VOM follows this course to a point, especially by carefully delineating requirements for both victim and offender. However, by identifying a “forgiving” victim in conversation with a “repentant” offender as the basic structure, the very process contains pressure on each participant to behave in a particular way or risk termination of the mediation session.<sup>11</sup> Further, advocates tend to

10. See Brian Zahnd, *Unconditional? The Call of Jesus to Radical Forgiveness* (Lake Mary, FL: Charisma House, 2010), 82: “Restorative justice is . . . the kind of justice Jesus wants to bring to a broken world. This is the kind of justice that can happen when we choose to end the cycle of revenge. This is the kind of justice that can happen when we are more interested in restoration than retaliation.” Restorative justice expectations for offenders span a spectrum from eliminating prisons to encouraging mediation as a complement to the criminal process. For an extended discussion of the variety of meanings of “justice” in restorative justice circles, see Zehr, *Changing Lenses*, 61–157. On justice as defined anew in each restorative justice context, see Jennifer Llewellyn, “Restorative Justice and Truth Commissions,” in *Handbook of Restorative Justice*, ed. Gerry Johnstone and Daniel W. Van Ness (Portland, OR: Willan Publishing, 2007), 360.

11. Some VOM mediators discourage expressions of anger during mediation, and many cases are rejected for VOM if the victim is judged to be “too angry.” As a result, victims must sublimate

draw the basis of their advocacy of forgiveness from contemporary visions of unlimited and unconditional forgiveness, both religious and psychological. While VOM mediators take care never to pressure victims to forgive, I show that implicit pressure and a preference for forgiveness exist.

In the murder case described above, the pastor warns, “It is not helpful at all to push forgiveness or to give pat answers.”<sup>12</sup> But as the congregation acted out a specifically “restorative” vision of community justice, one of the first tasks of the ministry team was to help parishioners and the victim’s family “understand what it means to forgive, and to . . . think about their intent to forgive.”<sup>13</sup> At no point in this extended article about the murders and their aftermath does the author recount the words or behavior of the offender after his arrest. The article does not report whether he was apologetic or remorseful. For this community, supporting or forgiving Keith Weaver does not depend on his response.

### Jesus’s forgiveness instructions in Matthew and Luke

Two similar sets of teachings about forgiveness appear in Matthew and Luke:

Matt. 18.21–22

Then Peter came and said to him, “Lord, if my brother sins against me, how often should I forgive? As many as seven times?” Jesus said to him, “Not seven times, but, I tell you, seventy-seven times.”

Luke 17.3–4

Be on your guard! If your brother sins, you must rebuke the offender, and if there is repentance, you must forgive. And if the same person sins against you seven times a day, and turns back to you seven times and says, “I repent,” you must forgive.

negative emotions in order to fit within the VOM picture of what successful mediation looks like. See Jennifer Gerarda Brown, “The Use of Mediation to Resolve Criminal Cases: A Procedural Critique,” *Emory Law Journal* 43 (1994): 1276.

12. Wenger, “How Does a Congregation Deal with a Triple Murder?,” 8.

13. *Ibid.*, 6.

In both passages, the verb ἀφίημι (“forgive”) echoes the Lord’s Prayer as well as the pronouncements of forgiveness in the healing of the paralyzed man (Matt. 9:2–8; Mark 2:2–12; Luke 5:17–26) and the sinful woman (Luke 7:36–50). In Matthew’s version, Jesus gives a simple instruction: if a member of the church sins against you, then you must forgive seventy-seven times, that is, without limit. The Lukan formula is more complex. Instead of presenting forgiveness as an automatic response to wrongdoing, Jesus describes a bilateral process in which the offender must first show repentance before the victim is required to forgive.

### Unlimited forgiveness

Scholars most commonly interpret Matthew’s use of “seventy-seven” to mean that forgiveness should be boundless.<sup>14</sup> The number may also be an allusion to Gen. 4:24, where Lamech boasts that he will avenge himself seventy-sevenfold. Jesus’s audience would have noticed this parallel and so regarded the instruction concerning unlimited forgiveness as the correction of Lamech’s unrestricted revenge.<sup>15</sup> Understood as such, forgiveness serves to quiet, or offset, the desire for revenge. However, unlimited forgiveness may be as problematic as unlimited revenge in that it may excuse even ongoing offenses; a more effective antidote to unlimited revenge could be more careful consideration and moderation of both the forgiving and angry responses.

Others interpret the number seventy-seven as representing not the quantity but rather the ongoing character of forgiveness. Christoph

14. In Matthew, the command is to forgive seventy-seven times (ἑβδομηκοντάκις ἑπτὰ, which is often mistranslated as “seventy times seven times”). In Luke’s version (17:3–4), the command is to forgive “seven times” (ἑπτάκις) if preceded by seven expressions of “I repent” (μετανοήση). For the sake of expediency, I refer to these texts as the “seventy-times-seven” instructions or teachings.

15. Douglas R. A. Hare, *Matthew*, Interpretation (Louisville, KY: John Knox Press, 1993), 216.

Klein sees the command as less about quantity and more a way of life, “an understanding of reconciliation as a process, that needs to be repeatedly [and] constantly maintained, regularly nurtured and brought about, therefore pointing to the demand for a ‘culture of reconciliation.’”<sup>16</sup> In this configuration, forgiveness as a way of life may not include a forgiving response to every instance of wrongdoing but rather a general disposition toward forgiving where possible.

In both Matthew and Luke, Peter questions whether one should forgive “seven times,” which would have been a very large or even infinite number. This makes Jesus’ multiplication of seven in his responses seem even more excessive.<sup>17</sup> Matthew’s instruction for boundless forgiveness appears near the end of Jesus’s discourse on community rule. In the preceding verses, Jesus advises his followers to rebuke other church members when they commit sins and to cast those who are not receptive to this rebuke out of the community (18:15–17). He tells Peter that he is obligated to forgive his “brother” (18:21) seventy-seven times. Similarly, in Luke Jesus instructs forgiveness of “your brother” (17:3) seven times a day as long as that disciple repents.<sup>18</sup> The familial language indicates that these instructions were intended to promote reconciliation within a specific community. Luke’s addition of “a day” (τῆς ἡμέρας) to the instruction emphasizes the everyday character of this process.

16. Christoph Klein, *Wenn Rache der Vergebung weicht: Theologische Grundlagen einer Kultur der Versöhnung*, Forschungen zur systematischen und ökumenischen Theologie 93 (Göttingen: Vandenhoeck & Ruprecht, 1999), 19 (translation mine). Original text: “Eines Verständnisses von der Versöhnung also Prozess, der immer wieder, ständig, regelmässig gepflegt und bewirkt, werden muss; sie ist somit Hinweis auf die Forderung einer ‘Kultur der Versöhnung.’”

17. R. T. France, *The Gospel of Matthew*, NICNT (Grand Rapids, MI: Eerdmans, 2007), 700, 704–5; on seven as an infinite number, see my “Seventy Times Seven,” in *The Dictionary of the Bible and Western Culture: A Handbook for Students*, ed. Michael Gilmour and Mary Ann Beavis (Sheffield, UK: Sheffield Phoenix Press, 2012), 482–83.

18. The NRSV renders ὁ ἄδελφός as “another member of the church” (Matt. 18:21) and “another disciple” (Luke 17:3).

Forgiveness and reconciliation are closely linked in these passages. Matthew and Luke both devote substantial effort to dealing with conflict and reconciliation within the community. Relationships in the church are worth restoring.<sup>19</sup> The exhortations in Matthew and Luke are limited to how church members should behave toward one another. The community cannot survive without an active effort to maintain and nourish relationships.<sup>20</sup> Forgiveness in these contexts is synonymous with reconciliation; in Jesus's teachings, forgiveness always involves the restoration of right relationship and reintegration into the community, whether that is a human community or the eschatological community of the saved. The current notion that forgiveness can begin and end with the individual victim, or achieve an emotional or psychological change, does not appear in Jesus's teachings.<sup>21</sup>

### Reproving and repentance

While the teaching of unlimited forgiveness in Matthew seems antithetical to the immediately preceding instructions on strict discipline for unrepentant sinners (those not receptive to reproof should “be to you as a Gentile and a tax collector” 18:17), in fact they are complementary. Forgiveness should be unlimited, but not unconditional. Leviticus instructs, “You shall not hate in your heart anyone of your kin; *you shall reprove your neighbor*, or you will incur

19. Thomas G. Long, *Matthew*, Westminster Bible Companion (Louisville, KY: Westminster John Knox Press, 1997), 210. On forgiveness as a tool for community maintenance, see also Gordon M. Zerbe, *Non-Retaliation in Early Jewish and New Testament Texts: Ethical Themes in Social Contexts* (Sheffield, UK: Sheffield Academic Press, 1993), 204; and W. G. Thompson, *Matthew's Advice to a Divided Community* (Rome: Biblical Institute Press, 1970).
20. Dale C. Allison, “Matthew,” in *The Oxford Bible Commentary*, ed. John Barton and John Muddiman (New York: Oxford University Press, 2001), 867; see also W. D. Davies and D. C. Allison, *Matthew 1–7*, ICC (London: T&T Clark International, 1988), 308.
21. David Konstan, *Before Forgiveness: The Origins of a Moral Idea* (New York: Cambridge University Press, 2010), 165–66.

guilt yourself” (19:17; emphasis mine). Correcting one’s neighbor is, according to the Bible, not only a kind response; it is also an obligation. Further, as Davies and Allison observe, “The [early Christian] community would cease to be if it did not insist on [right behavior]. Thus the spirit of forgiveness cannot mean blindness and indifference to sin within the church.”<sup>22</sup>

Matthew supplies only a general instruction on forgiveness, but Luke offers details on the mechanics of the process. Luke gives a pair of parallel examples: “If your brother sins, you must rebuke the offender, and if there is repentance, you must forgive. And if the same person sins against you seven times a day, and turns back to you seven times and says, ‘I repent,’ you must forgive” (17:3–4). Luke thereby presents a progression: *sin* → *rebuke* → *repent* → *forgive*. The second example is more specific: *sin seven times a day* → *turn back seven times a day* → *say, “I repent”* → *forgive*. In Luke’s description, the process of forgiveness is an exchange between victim and offender with requirements on both sides. It follows that if any of the steps fails, the entire process fails. Luke makes clear that repentance is necessary for forgiveness.

In both the Gospels of Luke and Matthew, forgiveness material appears within a collection of community instructions. Where Matthew separates the process of reproof (18:15) from the command to forgive (18:22), Luke joins the two to demonstrate that forgiveness must be preceded by repentance (17:3–4). Repeated sins must be accompanied by repeated expressions of repentance before there can be repeated forgiveness (signified by the number seven).

The early church followed Luke’s insistence on repentance. Concerning Matthew’s verse about the one who is unwilling to be reproved being “as a Gentile and a tax collector” (18:17), John

22. Davies and Allison, *Matthew*, 308.

Chrysostom sees Matthew as imposing a limit on the command for forgiveness.<sup>23</sup> He rephrases Peter's question by adding a phrase: "How often then ought I to bear with him, *being told his faults, and repenting?* Is it enough for seven times?"<sup>24</sup> The addition of "being told his faults" and "repenting" to Matthew's text indicates the importance of both behaviors in the granting of forgiveness. For Chrysostom, repentance is such an integral part of the forgiveness instruction that he alters Peter's question in order to include the repentance behavior described in Luke.

Martin Luther makes a similar move. He writes, "As oft as thy brother asks forgiveness, thou shalt forgive him."<sup>25</sup> Again, repentance demonstrated by "asking forgiveness" is included in the formula. Luther considers the Matthean and Lukan versions of these texts to be interchangeable; his comment on Luke 17:1–4 cross-references Matthew 18.<sup>26</sup> Even in the midst of a sermon on Christ's voluminous grace and forgiveness, Luther incorporates a call to repentance: "Because Christ . . . set up and erected such a kingdom, as wherein is only grace, which must at no times cease, so that *if thou repent* all things will be wholly forgiven thee."<sup>27</sup>

Luther invokes Luke 24:47 ("Repentance and forgiveness of sins is to be proclaimed in his name to all nations") to demonstrate further the inexorable relationship between repentance and faith, which together open the way to forgiveness. According to Luther, repentance and faith cannot be understood separately. "These two

23. St. John Chrysostom, Homily 61 on Matthew, <http://www.newadvent.org/fathers/200161.htm>.

24. Ibid.

25. Martin Luther, in E. Mueller, ed., *Luther's Explanatory Notes on the Gospels*, trans. P. Anstadt (York, PA: P. Anstadt & Sons, 1899), 107; this is from Luther's commentary on Matt. 18:18–22. Here the translator renders Luther's text in language similar to the King James Version of the Bible.

26. Mueller, *Luther's Explanatory Notes*, 241.

27. Martin Luther, *Sermons on the Most Interesting Doctrines of the Gospel*, trans. J. Thornton (London: Paternoster-Row, 1830), 370 (emphasis mine).

are the first elements of Christian life,” he writes. “Repentance or contrition and grief, and faith through which we receive the forgiveness of sins and are righteous before God. Both should grow and increase in us.”<sup>28</sup> Even as the reformer sought to correct what he saw as the Catholic emphasis on human works as necessary for salvation, he held onto the call for repentance as a requirement for forgiveness.

John Calvin also focuses on the importance of repentance. He writes, “As repentance is a wonderful work of the Spirit, and is the creation of the new man, if we despise it, we offer an insult to God himself.”<sup>29</sup> He considers the Matthean and Lukan instructions together: Matt. 18:21–35 (the seventy-times-seven instruction and the parable of the unforgiving servant) and Luke 17:4 (the seventy-times-seven instruction with the inclusion of repentance). His arrangement of the Gospel instructions presents a text that moves from the last line of the parable—“So likewise shall my heavenly Father do to you if you forgive not every one his brother from your hearts their offenses”—straight to Luke’s instruction—“If the same person sins against you seven times a day, and turns back to you seven times and says, ‘I repent,’ you must forgive.”<sup>30</sup> By joining the two scriptures in this way, he emphasizes the role of repentance in forgiveness. Thus for the Reformers repentance is an essential part of the process of forgiveness.

28. Martin Luther, “Instructions for the Visitors of Parish Pastors,” in *Luther’s Works: Church and Ministry II*, Luther’s Works 40, trans. and ed. Conrad Bergendoff (Philadelphia: Muhlenberg Press, 1958), 277.

29. John Calvin, *Calvin’s Bible Commentaries: Matthew, Mark and Luke, Part II*, trans. John King (Charleston, SC: Forgotten Books, 2007), 328.

30. *Ibid.*, 325.

### Unconditional forgiveness

Matthew and Luke present forgiveness instructions that demand concrete expressions (in Matthew, receptiveness to rebuke; for Luke, repentance), and early interpreters emphasize the bilateral process of repentance and forgiveness. However, contemporary voices from biblical studies, pastoral care, and psychology embrace a vision of forgiveness that has neither limit nor condition. Such forgiveness is then contained entirely in the emotional state of the victim, while the offender remains unrepentant or even unknown. In these scenarios, forgiveness is separated from reconciliation; it becomes a change of mind and heart, one that a victim is often pressured to perform. Underlying this idea are Jesus's instructions for unlimited forgiveness, which are understood as unconditional.<sup>31</sup>

Theologian and psychologist Lewis B. Smedes writes, "Forgiving is a gift, not a duty. It is meant to heal, not obligate. So the only good answer to Peter's question is: Use the gift as often as it takes to set you free from a miserable past you cannot shake."<sup>32</sup> David W. Augsburger cites both the Matthean and Lukan passages in his work on pastoral care, but like Smedes, he says nothing about repentance. "Jesus sets no limits, draws no line in the sand, defines no point when forgiving love can capitulate to evil and offer reactive violence. It is in this refusal of limits, this boundless and stubborn refusal to draw lines to define the intolerable, that we reflect the fullness of God's love."<sup>33</sup>

31. David Konstan offers an account of this shift in *Before Forgiveness*, 122–23. For examples of "seventy times seven" interpreted as a call for unconditional forgiveness, see Johann Christoph Arnold, *Seventy Times Seven: The Power of Forgiveness* (Farmington, PA: Plough Publishing House, 1997); Doris Donnelly, *Seventy Times Seven: Forgiveness and Peacemaking* (Erie, PA: Pax Christi USA, 1993); David Augsburger, *Seventy Times Seven: The Freedom of Forgiveness* (Chicago, IL: Moody Press, 1970); Thomas W. Buckley, *Seventy Times Seven: Sin, Judgment, and Forgiveness in Matthew* (Collegeville, MN: Liturgical Press, 1991); among many other textbooks, memoirs, and novels bearing this title and celebrating "the power of forgiveness."

32. Lewis B. Smedes, *The Art of Forgiving: When You Need to Forgive and Don't Know How* (New York: Random House, 1996), 161.

Both authors praise the unconditional and unlimited character of Jesus’s teachings, but neither retains the original verse’s emphasis on offender repentance.

Today, the phrase “seventy times seven” has become Christian shorthand for unconditional and unlimited forgiveness, especially forgiveness in situations of betrayal or violence. In *Seventy Times Seven: The Power of Forgiveness*, Johann Christoph Arnold relates a series of stories in which “real people” demonstrate forgiveness in difficult circumstances: a woman forgives her husband for molesting their daughter; a woman forgives and advocates for the man who kidnapped and murdered her daughter; parents forgive the drunk driver who killed their son.<sup>34</sup> These, Arnold writes, are “people who have the right to tell you that forgiveness is the only way to find healing.”<sup>35</sup> He does not, however, question whether there are people who have the right to say that forgiveness is *not* the only way to heal. In his view, only forgiving victims may make such moral pronouncements. Arnold attests to the healing power of both forgiveness and repentance, but at no point does he posit the latter as a condition of the former.<sup>36</sup> In his view, human forgiveness is a reflection of Jesus’s forgiveness, which knows no bounds.<sup>37</sup> Repentance can open the door to forgiveness, but forgiveness can and should take hold even in its absence. A church community’s goal, he argues, “should never be punishment, but restoration.”<sup>38</sup> However, avoiding punishment need not negate the role of repentance, whether in a church community or criminal process. Withholding forgiveness in the absence of repentance is not necessarily

33. David W. Augsburger, *Helping People Forgive* (Louisville, KY: Westminster John Knox Press, 1996), 143.

34. Arnold, *Seventy Times Seven*.

35. *Ibid.*, back cover.

36. *Ibid.*, 150.

37. *Ibid.*, 157.

38. *Ibid.*, 150.

synonymous with “punishment,” and according to the instructions in Matthew and Luke, it is exactly what is called for.

### **Restorative justice and the forgiveness imperative**

Forgiveness seventy-times-seven times is attractive as a community ethic in its simplicity and clarity. Teodor Costin notes the potential for such forgiveness to manifest in everyday life. He writes that the forgiveness teachings in Matthew, “which are powerfully radical and at the same time stand a realistic chance of being implemented, are rooted in a deep experience of an impartial God.”<sup>39</sup> However, the biblical text does not portray God as “impartial.” In Matthew especially, God is portrayed as a harsh judge prone to violent reactions, as seen in the parable of the unforgiving servant when the servant is “handed . . . over to be tortured” (18:34). Neither the Matthean nor the Lukan instructions on boundless forgiveness recommend impartiality; on the contrary, they provide guidelines for reproof and repentance, along with forgiveness that depends on both. The idea that these forgiveness instructions might reach into contemporary contexts with a “realistic chance” of being implemented is the kernel of the restorative justice movement. Drawing on a biblical vision of restoration of right relationship through repentance, forgiveness, and mutual respect, advocates propose alternatives to criminal justice that include restitution along with mediation (and ideally, reconciliation) between victim and offender.

Restorative justice advocates identify the movement against traditional criminal justice, or what they term a “retributive” system.<sup>40</sup>

39. Teodor Costin, *Il Perdono di dio nel Vangelo di Matteo: Uno studio esegetico-teologico*, Tesi Gregoriana Serie Teologia 133 (Roma: Editrice Pontificia Università Gregoriana, 2006), 223 (translation mine). Original text: “Tali affermazioni etiche di Matteo, con il loro forte radicalismo e, nello stesso tempo, con la loro reale possibilità di essere messe in pratica, sono radicate nella propria profonda esperienza di un Dio imparziale.”

Claiming a biblical foundation, restorative justice shifts the focus away from the state and abstract legal concepts such as crime as a violation against the state<sup>41</sup> to focus on the effects of crime on relationships and the community. The restorative vision names three primary stakeholders: the victim, the offender, and the community in which the crime occurred<sup>42</sup> and insists that all three have an active role in seeking justice in the aftermath of crime. Justice is defined in terms of restoration of right relationship among individuals and communities rather than punishment of an offender. The victim takes the central role in this process, and the offender is encouraged to provide restitution to both the victim and the affected community, such as repayment of a loss or repair of damaged property. The personal needs of the victim and the offender rather than the state are at the forefront, and every attempt is made to resolve the conflict without adjudication or incarceration.<sup>43</sup>

Central to this vision of justice is a process called victim–offender mediation (VOM), in which the victim and the perpetrator sit together with a trained mediator in order to resolve questions and engage in dialogue about the offense and its effects. VOM reflects restorative justice’s desire to incorporate civil dispute resolution techniques such as mediation and restitution into the process of addressing criminal wrongs.<sup>44</sup>

40. While restorative justice advocates position themselves against the “retributive” American criminal justice system, this is in fact a misnomer. Retribution (or deserved punishment) is only one justification for punishment in a system that also aims for deterrence, incapacitation, or rehabilitation. See Matthew Lippman, *Contemporary Criminal Law: Concepts, Cases, and Controversies*, 2nd ed. (Thousand Oaks, CA: SAGE Publications, 2010), 54–57.

41. Umbreit and Greenwood, *Guidelines*, 1; Zehr, *Changing Lenses*, 152.

42. Umbreit and Greenwood, *Guidelines*, 1.

43. For a narrative description of restorative justice principles—especially forgiveness—employed in the context of a murder trial, see Paul Tullis, “Can Forgiveness Play a Role in Criminal Justice?,” *New York Times Magazine*, January 4, 2013, 28–38.

44. John Braithwaite, *Restorative Justice & Responsive Regulation* (Oxford: Oxford University Press, 2002), 239. See also Albert Fiafjoe, *Alternative Dispute Resolution: A Developing World Perspective* (New York: RoutledgeCavendish, 2004), 109–30.

More than one thousand VOM programs, both private and state funded, currently operate in North America and Europe.<sup>45</sup> Advocates cite high rates of emotional satisfaction for both victims and offenders.<sup>46</sup> Currently VOM is used primarily in juvenile cases, for first-time offenses, and for low-level property crimes, but advocates are pressing for its employment in cases of assault, rape, and even homicide (with surviving family members).<sup>47</sup> VOM provides a controlled setting in which victims can question offenders and offenders may explain or apologize for their actions. In some cases, offenders are offered reduced sentences in exchange for participating in mediation;<sup>48</sup> in others, VOM stands in for the criminal justice process altogether, which means no conviction and no state-imposed sentence when the mediation yields positive results and both parties are satisfied with the outcome.

45. Mark S. Umbreit and Jean Greenwood, *National Survey of Victim-Offender Mediation Programs in the United States*, Office for Victims of Crime, NCJ 176350 (St. Paul, MN: Center for Restorative Justice & Peacemaking, 2000), 3. In 2000, there were 315 programs in the United States and Canada, and 707 programs in Europe.
46. For surveys and figures, see Mark S. Umbreit, *Victim Meets Offender: The Impact of Restorative Justice and Mediation*, Criminal Justice Press (Monsey, NY: Willow Tree Press, 1994); Heather Strang, *Repair or Revenge? Victims and Restorative Justice* (Oxford: Clarendon Press, 2002); Umbreit and Greenwood, *National Survey*; among others.
47. See, for example, Sarah Eschholz et al., "Offenders' Family Members' Responses to Capital Crimes: The Need for Restorative Justice Initiatives," in *Current Perspectives in Forensic Psychology and Criminal Behavior*, ed. Curt R. Bartol and Anne M. Bartol, 3rd ed. (Los Angeles, CA: Sage Publications, 2012), 224; Mark S. Umbreit, William Bradshaw, and Robert B. Coates, "Victims of Severe Violence in Dialogue with the Offender: Key Principles, Practices, Outcomes and Implications," in *Restorative Justice in Context: International Practice and Directions*, ed. Elmar G. M. Weitekamp and Hans-Jürgen Kerner (Portland, OR: Willan Publishing, 2003), 123-44; Mark S. Umbreit, Betty Vos, Robert B. Coates, and Kathy Brown, "Victim-Offender Dialogue in Violent Cases: A Multi-Site Study in the United States," in *Restorative Justice: Politics, Policies and Prospects*, ed. E. van der Spuy, S. Parmentier, and A. Dissel (Cape Town: Juta, 2008), 22-39; and Mark S. Umbreit, *The Handbook of Victim-Offender Mediation* (San Francisco: Jossey-Bass, 2001), chapter 13: "Advanced Mediation and Dialogue in Crimes of Severe Violence" (255-90).
48. Martin Wright, "Victim-Offender Mediation as a Step towards a Restorative System of Justice," in *Restorative Justice on Trial: Pitfalls and Potentials of Victim-Offender Mediation—International Research Perspectives*, ed. Heinz Messmer and Hans-Uwe Otto (Dordrecht, The Netherlands: Kluwer Academic Publishers, 1992), 534.

### Biblical foundations of restorative justice

Most early victim-offender mediation<sup>49</sup> programs were community-based nonprofit organizations, and many were located in and funded by religious groups, often Mennonite churches. The Mennonite Central Committee Office on Crime and Justice continues to provide training, resources, and funding support to VOM programs worldwide.<sup>50</sup> In a 2000 national survey, Mark S. Umbreit and Jean Greenwood identify the characteristics of VOM programs in the United States:<sup>51</sup> 22 percent surveyed were based in churches, and 39 percent of mediations took place in Christian or Jewish places of worship: churches, synagogues, or temples.<sup>52</sup>

Howard Zehr incorporates biblical material into his writings and sees the church as essential to the movement. “[VOM] desperately needs the church if it is to survive in a form that matters,” he writes. “Motivated by a biblical vision of justice as restoration . . . the church can provide the kind of independent value base and independent institutional base which is necessary to carry the vision.”<sup>53</sup> Zehr’s “biblical vision of justice” is predicated on a broad definition of *shalom* that incorporates equal distribution of resources, peaceful social relationships, and a condition of honesty or “moral integrity.”<sup>54</sup> All of this is “how God intends things to be.”<sup>55</sup> Zehr interprets forgiveness as the highest goal for the social aspect of *shalom* as restoration of

49. The first organized victim-offender mediation programs (first called victim-offender reconciliation programs, or VORP) took place in the 1970s in Elkhart, Indiana and Kitchener, Ontario (<http://www.vorp.org/history.shtml>).

50. Marty D. Price, “Victim-Offender Mediation: The State of the Art,” *VOMA Quarterly* 7, no. 3 (1996): 1.

51. Umbreit and Greenwood, *National Survey*.

52. Umbreit and Greenwood, *National Survey*, 5, 10. For VOM in church basements and classrooms, see also Robert B. Coates, “Mediation Observations: Case Examples and Analysis,” in Umbreit, *Victim Meets Offender*, 119, 129.

53. Zehr, *Changing Lenses*, 174.

54. *Ibid.*, 126–57.

55. Zehr, *Changing Lenses*, p. 132.

right relationship. Zehr cites multiple Old Testament texts as both positive and negative examples of *shalom*-as-justice (Lev. 24:19–20, “an eye for an eye”; 19:18, “do not seek revenge” but “love your neighbor”; 24:16, “anyone who blasphemes must be put to death”), but primarily he offers general statements not supported by biblical citations. Zehr cites only one New Testament text in support of his vision of biblical justice: “Therefore, since we are justified by faith, we have peace with God” (Rom. 5:1).

Zehr draws heavily on his Mennonite tradition by appealing to biblical principles that emphasize reconciliation and repair as primary goals.<sup>56</sup> As a result of crime, he writes, “[v]ictims and the community have been harmed and are in need of restoration.”<sup>57</sup> Victims should be at the center of the justice-making process and offenders should “make things right.”<sup>58</sup> The community should be the site of this justice process, and the goal is an idealized image of repaired relationships and wounds addressed by dialogue and restitution rather than trial and incarceration.

In some ways, restorative justice—and especially VOM—appear to bring the principles of the seventy-times-seven instructions into contemporary contexts in a productive way. The vision of conflict resolution presented by Jesus involves a dialogue that includes both forgiveness and repentance. The offender is held accountable by the community (in Matthew) or the victim (in Luke), and repentance opens the door for forgiveness, which is here synonymous with

56. On nonviolence in the Mennonite tradition, see Sally Engle Merry, “Mennonite Peacebuilding and Conflict Transformation,” in *From the Ground Up: Mennonite Contributions to International Peacebuilding*, ed. Cynthia Sampson and John Paul Lederach (Oxford and New York: Oxford University Press, 2000), 203–17. The other texts in this volume are also instructive on nonviolence in the history of the Mennonite tradition.

57. Howard Zehr, *The Little Book of Restorative Justice*, The Little Books of Justice and Peacemaking (Intercourse, PA: Good Books, 2002), 64.

58. *Ibid.*, 65.

restored relationship. For restorative justice advocates, that restored relation is the essence of justice.<sup>59</sup>

Howard Zehr cites the New Testament as a starting point. “We are called to forgive our enemies, those who harm us, because God has forgiven us,” he writes. “We cannot be free as long as we are dominated by enmity.”<sup>60</sup> Zehr cites Matt. 18:21–22 as a reversal of the “law of Lamech”: “It is no accident, perhaps, that [Jesus] extends [this reversal] to seventy times seven, a number almost beyond imagination. From unlimited retaliation to unlimited love—we have come full circle.”<sup>61</sup> He does not mention the Lukan version with its requirement for offender repentance.

The lack of emphasis on repentance in restorative justice literature is especially curious considering the prominence of repentance in the teachings of Jesus.<sup>62</sup> In Luke, Jesus states, “There will be more joy in heaven over one sinner who repents than over ninety-nine righteous persons who need no repentance” (Luke 15:7). Repentance is sometimes celebrated in restorative justice, but repentance has nothing to match the cachet of victim forgiveness. When advocates quote Scripture, they are most likely to cite the seventy-times-seven teachings, Jesus’s cry from the cross, or the Lord’s Prayer—all of which are easily extrapolated to support the kind of emotional and unilateral forgiveness that restorative justice advocates praise. Jesus’s teachings about repentance carry as much weight in the Gospels as those on forgiveness.<sup>63</sup>

59. Marshall, *Beyond Retribution*, 35–96, esp. 92; Annalise E. Acorn, *Compulsory Compassion: A Critique of Restorative Justice*, Law and Society Series (Vancouver: UBC Press, 2004), 11.

60. Zehr, *Changing Lenses*, 45. Here, Zehr misquotes the biblical text; while Jesus does instruct his followers to “love your enemies” (Luke 6:27), nowhere does Jesus suggest that they should forgive their enemies.

61. *Ibid.*, 150.

62. Jesus talks passionately about repentance multiple times in the Gospel literature: Matt. 4:17; 11:20–21; 21:32; Luke 5:31–32; 13:3–5; 15:7, 10; 17:3–4; 24:47.

63. While Jesus emphasizes the importance of repentance, he devotes more overall time to discussing forgiveness: Matt. 6:12, 14–15; 9:2–8; 12:31–32; 18:21–22, 23–35; 26:28; Mark

When an offender agrees to a mediation session, this hints at repentance, but it may or may not be articulated during the mediation session. And since offenders often have incentives to participate in mediation (such as reduced or dropped charges, reduced sentences, or increased privileges), victims may not simply assume that a cooperative offender is a repentant one.<sup>64</sup>

The writings of Christopher D. Marshall present another distorted view of biblical teachings in a presentation of biblically grounded restorative justice. He notes that the Lukan version of the seventy-times-seven command calls for repentance, but even so, he still manages a vision of unconditional forgiveness. “For a broken relationship to be restored, forgiveness by the victim alone is not enough; there must also be repentance by the offender,” he writes. “But even if repentance is not forthcoming, even if the relationship cannot be restored, the disciple is still obligated to nurture forgiveness.”<sup>65</sup> As if on cue, Marshall then cites Jesus’s cry from the cross as a prooftext.

As restorative justice advocates map the biblical call for forgiveness onto their theories of how criminal justice should work, three themes emerge. First, biblical forgiveness is equated with unilateral, unconditional forgiveness. Second, the requirement for repentance is lost. And third, forgiveness gets defined as a psychological and emotional feat accomplished by the victim, regardless of whether the offender is present or shows remorse. In the ideal paradigm, a

2:2–12; 3:28–29; 4:10–12; 11:25; Luke 5:17–26; 6:37–38; 7:36–50; 11:3; 12:10; 17:1–4; 23:34; 24:46–47; John 20:22–23.

64. This is true especially in juvenile cases, when participation in mediation can mean dropped charges (or felony charges reduced to misdemeanors) and avoiding a criminal record. See Marian Liebmann, *Restorative Justice: How It Works* (London: Jessica Kingsley Publishers, 2007), 325; Wright, “Victim-Offender Mediation as a Step,” 534; Declan Roche, *Accountability in Restorative Justice*, Clarendon Studies in Criminology (Oxford: Oxford University Press, 2003), 86.

65. Marshall, *Beyond Retribution*, 73.

remorseful offender sits across the table from a receptive victim and the mediation culminates in a catharsis of apology and forgiveness. But even absent this, an endlessly and unconditionally forgiving victim still suits the restorative purpose.

However, the conviction that a victim will be “healed” (or, made to feel better physically or emotionally) by forgiving and restoring a relationship with her attacker represents a major flaw in restorative justice thinking. As they conjure ideals of successful, forgiving VOM encounters, restorative justice advocates paint their bright picture against the dark backdrop of retributivism (a theory of justice that advocates the punishment of criminals). A false dichotomy emerges as restorative justice defines itself over and against so-called retributive justice. In the process, victims are limited to two options: they engage in VOM and follow its rules of engagement, or they reject the restorative path in favor of retribution. The idealized “forgiving victim” takes on a pernicious other, the ultimate VOM undesirable: the “angry victim.”

### Defining forgiveness

For restorative justice advocates, the primary point of departure from the biblical teachings is the definition of forgiveness. Where the seventy-times-seven instructions offer roles for both victim and offender toward forgiveness-as-reconciliation, restorative justice advocates isolate forgiveness as the most important and potentially most thrilling aspect of restoring right relation. In these pages I do not mean to suggest that restorative justice advocates should map their understandings of forgiveness exactly from the biblical text. Rather, I argue that a second look at the seventy-times-seven instructions could help to temper VOM’s intense focus on the victim’s response and prompt equal concern for the responses of both victim and offender. The bilateral vision of forgiveness presented in

both Matthew and Luke stands to lighten the burden on the victim to forgive and stands to open new possibilities of restored relationship in which accountability and restitution play a larger role.

A salient problem in restorative justice literature is the conflation of biblical forgiveness with contemporary psychological definitions of the term. Howard Zehr starts out with the Bible but arrives at an unconditional forgiveness that the victim is obligated to undertake for her own good. “Forgiveness is letting go of the power the offense and the offender have over a person,” he explains. “Without this experience of forgiveness, without this closure, the wound festers, the violation takes over our consciousness, our lives.”<sup>66</sup>

Following Zehr, Marshall writes, “Forgiveness is a process whereby those who have been wounded let go of the power of the offense and the offender over them, and move toward freedom and wholeness.”<sup>67</sup> Such understandings of forgiveness dismiss the role of repentance and emphasize the psychological task of the victim. “The offense” takes on a life of its own as an unfriendly ghost that torments the victim, and forgiveness is the only way she will overcome its power.

Restorative justice is better served by preserving the bilateral character of forgiveness presented in the biblical text that sees forgiveness and reconciliation as separately defined but closely linked. In her work on VOM,<sup>68</sup> Stephanie van de Loo highlights the difference between forgiveness (*Vergebung*) and reconciliation (*Versöhnung*). “Forgiveness means a change of attitude on the side of the hurt person regardless of the dispositions or behavior of the person who caused the hurt, such as insight, remorse, or repentance,”

66. Zehr, *Changing Lenses*, 47.

67. Marshall, *Beyond Retribution*, 73.

68. In Germany this practice is known as *Täter-Opfer-Ausgleich*, which translates to “offender-victim compensation.”

she writes. “Reconciliation is a reciprocal process that requires both the injured person and the offender to assume responsibility for [dealing with the past] and also requires both to have the desire to improve relations going forward.”<sup>69</sup> Van de Loo focuses on the “work of reconciliation” (*Versöhnungsarbeit*), a process that may include forgiveness and repentance but is not synonymous with these. For her, VOM at its best will be a reflection of God’s reconciliation, or restored relationship, with humankind through Jesus.<sup>70</sup>

For the purposes of this chapter, I follow van de Loo in distinguishing between forgiveness and reconciliation. While these two ideas overlap nearly completely in the biblical text—that is, forgiveness does not exist apart from its tangible effect on the restoration of right relation—today they represent two very different ideas. In popular usage today, forgiveness is defined as giving up resentment, anger, or negative actions against the offender and *may* include—but not always (or necessarily)—the offender’s expressions of remorse or repentance. Reconciliation refers to the restoration of right relationship between victim and offender. As van de Loo discusses it, reconciliation may include forgiveness, but it does not have to. For example, coworkers or family members may “agree to disagree,” thus restoring relationships but not necessarily forgiving past behavior.<sup>71</sup>

69. Stephanie van de Loo, *Versöhnungsarbeit: Kriterien—theologischer Rahmen—Praxisperspektiven*, Theologie und Frieden (Stuttgart: W. Kolhammer, 2009), 16 (my translation). Original text: “Vergebung meint eine Einstellungsveränderung auf der Seite der—im wörtlichen oder metaphorischen Sinn—verletzten, vergebenden Person die unabhängig geschieht von Dispositionen oder Verhaltensweisen der verletzt habenden Person wie beispielsweise Einsicht, Reue oder Umkehr; Versöhnung als wechselseitiger Prozess setzt hingegen bei verletzter und verletzt habender Person gleichermassen Verantwortungsübernahme für das Gewesene und den Willen zur Beziehungsverbesserung voraus.”

70. *Ibid.*, 136 and *passim*. On the atonement of Christ as reconciliation with humanity, see Rom. 5:10; 2 Cor. 5:18; Eph. 2:16; Col. 1:20.

71. On reconciliation without forgiveness, see Everett L. Worthington, “The Pyramid Model of Forgiveness: Some Interdisciplinary Speculations about Unforgiveness and the Promotion of Forgiveness,” in *Dimensions of Forgiveness: A Research Approach* (Radnor, PA: Temple

### Veneration of forgiveness

In restorative justice circles, forgiveness has become an idol. James Ptacek observes this veneration of forgiveness and its role in countering victims' anger. "In Restorative Justice training conferences and events that I have attended in the United States, there have been tables filled with books about forgiveness on display. ... Forgiveness, then, seems to be a powerful emotional process that Restorative Justice harnesses."<sup>72</sup> Ptacek notes that restorative justice advocates claim an objective stance toward forgiveness even as they celebrate books and films on the topic. While restorative justice advocates generally agree that victims should never be pressured to forgive, they remain enamored with forgiveness at the level of mediator training. Often mediators are instructed to follow scripts that are "carefully designed to ensure that a process of emotional transformation [leading in the direction of forgiveness] takes place in a conference."<sup>73</sup> In such cases, while the participants are encouraged to "express disapproval about an offender's actions," this is matched by an emphasis on "the offender's intrinsic worth as an individual, 'separating the deed from the doer.'"<sup>74</sup>

Foundation Press, 1998), 129–30; Jeffrie G. Murphy, *Punishment and the Moral Emotions: Essays in Law, Morality, and Religion* (Oxford: Oxford University Press, 2012), 8–9, 56–57; Juergen Manemann, "Anthropological Remarks on Reconciliation after Auschwitz (Response)," in *After-words: Post-Holocaust Struggles with Forgiveness, Reconciliation, Justice*, ed. David Patterson and John K. Roth, The Pastora Goldner Series in Post-Holocaust Studies (Seattle: University of Washington Press, 2004), 131; Adam Morton, "What Is Forgiveness?," in *Ancient Forgiveness: Classical, Judaic, and Christian*, ed. Charles L. Griswold and David Konstan (Cambridge, UK: Cambridge University Press, 2011), 9; Brien Hallet, "To Forgive and Forget?," in *Fear of Persecution: Global Human Rights, International Law, and Human Well-Being*, ed. James D. White and Anthony J. Marsella (Lanham, MD: Lexington Books, 2007), 280.

72. James Ptacek, "Resisting Co-optation: Three Feminist Challenges to Antiviolence Work," in *Restorative Justice and Violence against Women*, ed. James Ptacek, Interpersonal Violence (Oxford: Oxford University Press, 2010), 22.

73. Roche, *Accountability*, 120; "Restorative Justice in Canada: What Victims Should Know" (prepared by the Canadian Resource Centre for Victims of Crime, 2011), 3; Zehr, *Changing Lenses*, 46; Umbreit, *Handbook*, 286–87.

74. Roche, *Accountability*, 120.

Declan Roche observes a tendency of restorative justice authors to elevate forgiveness to a supernatural level.<sup>75</sup> Other scholars revere the “magical”<sup>76</sup> or “miraculous”<sup>77</sup> powers of apology and forgiveness; and Conrad G. Brunk writes, “Offenders, victims, families, mediators, judges, and lawyers who participate all speak of the ‘magic,’ or ‘deeply spiritual’ aspects of the events that take place when offenders show repentance and victims are able to forgive.”<sup>78</sup> These scholars name repentance as a part of the process, but their primary focus is on forgiveness.

Some argue that forgiveness is not only a moral obligation of the victim, but also necessary for restoring the offender as a productive member of society. Margaret Holmgren writes, “If the offender is forgiven by his victim, he may feel as if he has a new lease on life, or a second chance to be a decent, contributive member of society.”<sup>79</sup> This carries resonances of the Christian notion that forgiveness may precede repentance so as to inspire it.<sup>80</sup> In Holmgren’s lengthy treatise on the virtues of unconditional forgiveness, though, she offers scant anecdotal or statistical evidence of such positive outcomes. Indeed, many victims may not appreciate being loaded with the burden of restoring a violent offender to a positive place in the community.

The offender has no prescribed role in this process of unconditional forgiveness. Instead, Holmgren writes, “I argue that an attitude of unconditional genuine forgiveness is always appropriate and desirable from a moral point of view, regardless of whether the offender

75. *Ibid.*, 9–10.

76. Heather Strang, “Justice for Victims of Young Offenders: The Centrality of Emotional Harm and Restoration,” in *Restorative Justice for Juveniles: Conferencing, Mediation and Circles*, ed. A. Morris and G. Maxwell (Oxford: Hart Publishing, 2001), 186.

77. Marshall, *Beyond Retribution*, 284.

78. Brunk, “Restorative Justice and the Philosophical Theories,” 51.

79. Margaret R. Holmgren, *Forgiveness and Retribution: Responding to Wrongdoing* (New York: Cambridge University Press, 2012), 269.

80. See the discussion of repentance inspired by forgiveness and “preventive grace” in the introduction.