

## Perverted Justice

They knew better, of course. The men who gathered on that night when God's deliverance of their people was celebrated would have known that story as well as anyone in the land. They knew that the reason they had sat down to dinner earlier that evening had been because God and God alone could free Israel from bondage. But now, centuries after Moses had led the Children of Israel from Egypt to Canaan, these powerful men had become comfortable living under the thumb of the Roman occupiers. At any rate, if someone was going to lead the resistance against the Romans, it would be someone who fit their picture of the Messiah, someone who would recognize their prerogatives as those whom God had also anointed to leadership. It certainly wouldn't be some dirty preacher from the hinterlands of Galilee, not one who ate at table with tax collectors and sinners, not one who spoke so disrespectfully of them and to them. Ignoring the many stories of how God often used the one least expected to lead God's people, they believed they knew what had to be done. And so they did it.

They hauled Jesus before them although the traditions they claimed to uphold said that a trial might not be convened on Passover. Although the "Ten Words" enjoined all of Israel not to bear false witness, they arranged for men to come and offer false testimonies. And although these testimonies did not agree, they ignored the Law given by God to Moses: "A single witness shall not suffice to convict a person of any crime or wrongdoing... Only on the evidence of two or three witnesses shall a charge be sustained. If a malicious witness comes forward to accuse someone of wrongdoing, then both parties to the dispute shall appear before the Lord, before the priests and the judges who are in office in those days, and the judges shall make a thorough inquiry. If the witness is a false witness, having testified falsely against another, then you shall do to the false witness just as the false witness had meant to do to the other. So you shall purge the evil from your midst." The men who knew these laws better than any in the land, those who had been entrusted with justice for all of God's people, because it suited their purpose, they disdained the laws of God and substituted their own.

Rather foolishly, I think I told you a few weeks ago that I was looking forward to preaching this cycle of scriptures drawn from the Passion narrative by Timothy Slemmons into his proposed "Year D Supplement to the Revised Common Lectionary." "How good it will be," I thought, "to tell those central stories of our faith of how Jesus gave himself for us, how rewarding." It has been said, after all, that the Gospels, particularly that of Mark, are Passion Narratives with extended prologues. But I didn't count on the pain that these stories bring – oh, not the sympathetic pain of reading of Jesus' travails but the real pain of recognition that the destructive spirits that conspired to murder the best and wisest man that has ever been are still very much among us. Whether it is the pride and contempt of the religious leaders or the violence of the mob and the military or the personal betrayals of Judas and of Peter, we see the like spirits exhibited for us every day in our supposedly enlightened times. As I delve into the enduring truths of these tales of Jesus' last hours on Earth, it is sometimes hard to see anything but the pain. Thursday and Friday of that week are lightless and terrible but thanks be to God, Sunday's comin'.

These stories are sufficiently frightening in their relevance that even New Testament scholars look for ways to pull their teeth. Several I read this week pointed out, as I did a moment ago, how badly the Gospel accounts of Jesus' trial before the Sanhedrin fit with Jewish standards of justice in order to conclude that the Evangelists must have gotten it wrong, that it couldn't have

## Perverted Justice

gone this way. Some point out as well that to claim the titles “Messiah” and “Son of the Blessed One” were not blasphemy, merely politically dangerous. Mark and the others, they conclude, must have been Roman apologists, smoothing the way for Christianity to be accepted in the Empire by shifting the blame to the Jews who’d so recently expelled the Christians from the synagogues. Indeed, we do well to examine the Scriptures closely for human bias in the transmission of stories inspired by the Holy Spirit. But we also do well to remember the ubiquity of sin even among the most respected and most righteous of humankind. We may remember that great quotation from Lord Acton, politician and essayist of 19<sup>th</sup> century Britain: “Power tends to corrupt and absolute power corrupts absolutely” but how many of us remember that these were the words of a devout Catholic written in opposition to the still-new doctrine of the infallibility of the pope?

We should not be surprised that power corrupted the religious leaders of Jerusalem to bring a perverted sense of justice to their trial of Jesus when we see justice likewise being perverted so often in our own day. One of the books I read during my Sabbatical was Just Mercy: A Story of Justice and Redemption by Bryan Stevenson. It is a former #1 *New York Times* Bestseller and I think others of you have read it. It’s quite compelling. As a young lawyer, a recent graduate of Harvard Law, Stevenson was a co-founder of the Equal Justice Initiative in 1989. One of his early cases was that of Walter McMillian, and I’m quoting here from Ted Conover’s review of the book from the *New York Times* in 2014: “(McMillian) was on death row for killing a young white woman in Monroeville, Ala., the hometown of Harper Lee. Monroeville has long promoted its connection to “To Kill a Mockingbird,” which is about a black man falsely accused of the rape of a white woman. As Stevenson writes, “Sentimentality about Lee’s story grew even as the harder truths of the book took no root.” ... McMillian’s ordeal is a good subject for Stevenson, first of all because it was so outrageous. The reader quickly comes to root for McMillian as authorities gin up a case against him, ignore the many eyewitnesses who were with him at a church fund-raiser at his home when the murder took place, and send him — before trial — to death row in the state pen. When the almost entirely white jury returns a sentence of life in prison, the judge, named Robert E. Lee Key, takes it upon himself to convert it to the death penalty.” It’s an almost cartoon version of Southern racism, funny if it wasn’t so chilling. I had to look back several times while reading to remind myself that this travesty had taken place not in the pre-Civil Rights Era South but had begun with a murder in 1986 and a final exoneration in 1993. Powerful men make their own laws and when they do justice is perverted.

Of course, if you want a story of Southern injustice from earlier times that’s been in the news again recently, you need look no further than the extra-judicial torture and murder of Emmett Till. When I was looking for an illustration for the front of our bulletin earlier this week, I googled images connected with the phrase “many gave false testimony against him” from our reading for the week. Although I got plenty of images of Jesus, I also got several of Emmett Till. Do you know the story? In 1955, Till was a 14-year old black kid from Chicago visiting relatives in Mississippi for the first time. A woman named Carolyn Bryant claimed that Till “grabbed her and was menacing and sexually crude toward her.” Later witnesses said that Till may or may not have whistled at the pretty woman but no one else saw anything physical or heard any words spoken. Nevertheless, a group of white men bent on “protecting the sanctity of white women,” kidnapped the boy, beat and tortured him, shot him and dumped his body in the Tallahatchie River. So mutilated was Till by the torture and the effects of the river that his

## Perverted Justice

mother could scarcely identify him. Nevertheless, she insisted on an open casket funeral so that everyone could see what they had done to her boy. Two of the perpetrators were “brought to justice,” tried and acquitted. Safe of “double jeopardy” they then proudly took responsibility for the crime in *Look* magazine that same year. Not until last year did Carolyn Bryant Donham admit to a journalist that her allegations against Till were not true. Those Southern White men may not have had much power as the world recognizes it but in 1955 Mississippi, they had all the power they needed to make their own law when it came to Emmett Till. Justice again was perverted.

Justice continues to be perverted by those in power who wish to protect that power. The latest issue of *Sojourners* magazine features an article by Carol Anderson titled, “It’s Not Just the Russians: There are many ways to rig an election—from purging voter rolls to hampering access to the polls and partisan gerrymandering. A look at the faces of voter suppression.” Just in case y’all Yankees have safely consigned these issues to the South, Anderson focuses first on voter suppression in Ohio. She writes: “Ohio provides only one polling station per county for early voting—which on the surface gives the impression that the system is fair and equitable. But—and here’s the rub—the counties are fundamentally different. For instance, Pickaway County, just south of Columbus, has fewer than 60,000 residents. Hamilton County, where Cincinnati is located, has a population of more than 800,000 people. But each county only has one early-voting station. The results have been predictable—and have not been race-neutral. In the 2012 presidential election, there were no lines to vote early in Pickaway County, which is 94.5 percent white. But Hamilton County, with its 206,000 African-American residents, had a line that stretched a quarter mile. According to UrbanCincy.com, voters in Cincinnati reported wait times of more than four hours, and other urban areas, such as Cleveland and Columbus, faced similar obstacles. (Comparable delays occurred in 2016.) The Republican Party chair for Columbus’ county defended the long waits, telling the Columbus Dispatch, “I guess I really actually feel we shouldn’t contort the voting process to accommodate the *urban* voter turnout machine.”” I hope you recognize that party chair’s code word: urban equals African-American. Anderson also notes that “In Ohio... African Americans were five times more likely than whites to vote during an early-voting period that Republican officials recently eliminated.”

This perverted justice is not just taking place in the South and it’s not just about African Americans. The Leadership Conference for Civil Rights recently published a study that was covered by *The Nation* magazine. They were investigating the impact of the U.S. Supreme Court’s decision in 2013 to overturn the Voting Rights Act. In case you’ve forgotten, that freed 16 states with histories of discrimination from submitting any changes in voting rules to federal authorities. Since that change, 381 of the 800 counties previously covered by Section 5 of the Voting Rights Act have closed 868 polling places. The most, 202, were closed in Texas but the most per capita were closed in Arizona. According to Ari Berman’s reporting in *The Nation*, “Almost every county in the state reduced polling places in advance of the 2016 election and almost every county closed polling places on a massive scale, resulting in 212 fewer polling places... Tucson’s Pima County—the second largest in the state, which is 35 percent Latino and leans Democratic—is the nation’s biggest closer of polling places,” from 280 in 2012 to 218 in 2016.” Those in power are doing whatever they think is necessary, justice be damned, to retain it. Do you suppose we might suggest to the members of Good Shepherd South that they move their voter’s registration to Arizona to help combat this perversion of justice?

## Perverted Justice

Of course, it's not only the powerful who participate in injustice, either in the story of Jesus or in our own day. Peter could have stood up for Jesus that night, couldn't he? It probably wouldn't have made a difference to the outcome of the story for Jesus, although he might have felt less alone at the end with Peter on one side of him instead of a bandit. Peter, tradition tells us, was crucified many years later anyway, given courage by a vision of Jesus and by the in-dwelling of the Holy Spirit. But Peter reminds us that any of us is capable of betraying a friend and that all of us are culpable. Peter is often understood, as we read the Gospels, as the very embodiment of the Church – well-intentioned, sometimes swifter to act or speak than to think, a veritable Everyman. The embodied Church has known what it is to pervert justice as well: our slowness in America's White churches to support the Civil Rights Movement and abolition before that; the current crisis among Catholics and Protestants alike regarding the misuse of power over the sexually vulnerable; our vacillation over the place of women and gay folk in the Church. The list is pretty extensive.

Even our heroes in the faith have feet of clay. I was introduced to the work of the Mennonite theologian John Howard Yoder in seminary and his work continues to be a touchstone for me on subjects of social justice. But it wasn't until years later that I learned that Yoder was being investigated for sexual abuse and harassment shortly after I graduated. And only a few weeks ago did I learn the story of how injustice accompanied another Christian icon, Pastor Martin Niemöller. Niemöller is often held up alongside his friend, Dietrich Bonhoeffer, as a man of faith who resisted the Nazis and it's true that, like Bonhoeffer, he was imprisoned in a death camp by Hitler's regime. That experience produced his famous poem:

First they came for the Communists, and I did not speak out—  
because I was not a Communist.  
Then they came for the Trade Unionists, and I did not speak out—  
because I was not a Trade Unionist.  
Then they came for the Jews, and I did not speak out—  
because I was not a Jew.  
Then they came for me—and there was no one left to speak for me.

But perhaps we do not reckon adequately with the truth of that poem. You see, not only did Niemöller *not* speak out on behalf of the Communists, Trade Unionists, and Jews, he actively promoted their persecution. Until four years *after* the Nazis began shipping such people to extermination centers, Pastor Martin Niemöller was an ardent Nazi. Like Peter, he came to a new understanding of his trust in Jesus only *after* injustice and death held sway.

So, what lesson would I have us take away from all of this? That there are still daily perversions of justice in our world, even in our own country? I suspect you already knew that. Is it true, as Alexander Solzhenitsyn wrote, that, “The line separating good and evil passes not through states, nor between classes, nor between political parties either -- but right through every human heart -- and through all human hearts.” Yes, but I suspect you knew that, too, even if you hadn't heard the quotation. But it's also true that, to paraphrase the prophet Amos, if we are to do justice, then we must also love mercy and walk humbly with God. And it is also true that the more closely we follow Jesus, the more we open ourselves to the Holy Spirit, the more we seek the face of God, then the more we are able to resist injustice, the more we are able to love mercy, the better we are able to walk humbly. Justice is not a lost cause, not in the United States of the 21<sup>st</sup>

## Perverted Justice

century any more than it was in Jerusalem of the first. Our Loving Creator has sent the Holy Spirit to quicken our hearts and enlighten our minds and empower our spirits and in Christ, all things are possible.

Let me close with some words of wisdom from retired Bishop Steven Charleston. Those of you who follow me on Facebook know that I follow him and often share his daily meditations. Formerly Bishop of the Episcopal Diocese of Alaska and himself a member of the Choctaw Nation, Bishop Charleston combines the wisdom of his ancestral way with a lively and Biblically rooted faith in Christ to power a viewpoint that reflects Dr. King's famous observation that the moral arc of the universe may bend slowly but it bends toward justice. Listen now to one of his meditations from this past week: "We are here for the long haul, we veterans of the sacred struggle. We may be a little dirty and a little tired and a little outnumbered by the powers against which we contend, but we are not giving up, running away or seeking to surrender. We are here for a cause we will not abandon, for people we will not abandon. The hungry and the homeless, the refugee and the immigrant, the poor and the forgotten, the innocent and the vulnerable: we make this stand for them and we will not betray their hopes. We are here for the Earth, for the life of creation, for the future of our children, and we are not going anywhere until justice is secure. We are here for as long as it takes."

For the perseverance of the Spirit until justice is secure, thanks be to God. Amen.