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JUSTICE IS NOT JUST RETRIBUTION IT IS ALSO REDEMPTION!

DETROIT – The old adage, *“sticks and stones may break my bones, but words will never hurt me,”* is one of the biggest lies ever told. Words can hurt deeply. They cut sharply and live eternally. The holy scriptures remind us *“let our speech always be with grace, seasoned as it were with salt so that you will know how you should respond to each person,”* Colossians 4:6. The recent public attack by Justice Richard Bernstein upon newly appointed Justice Kyra Harris Bolden over her selection of Peter Martel for her clerk was not seasoned with salt. It was harsh, bitter, and callous. It seemed to have a taste of retribution within its very articulation. Acknowledging he had not discussed the matter with Bolden before making a public comment, *“I’m no longer talking to her. We don’t share the same values. We campaigned together, but that was the Democratic Party’s doing.”* Wow! It appears Lady Justice lifted the blindfold covering her eyes to see standing before her only retribution, while ignoring redemption. It made me dust off my Bob Marley cd featuring *‘The Redemption Song.’* A few lyrics from this icon of reggae, *“Emancipate yourselves from mental slavery, none but ourselves can free our minds; won’t you help to sing these songs of freedom? Cause all I ever have redemption songs, redemption songs, redemption songs.”* This was the last song ever recorded by Bob Marley prior to his death. The words of the Redemption Song refers to persecution, oppression, liberation through God and inner freedom, and peace of mind. It was a way in which Marley cleansed himself of any flaws or sins he may have committed along the journey of his life.

Peter Martel said *“I got to prison and found out pretty quickly that I didn’t like it, so I tried to escape. I spent a lot of time in segregation after that and I knew I’d screwed up my life and dug myself a really, really deep hole.”* Fourteen years in prison, Martel spent 10 years in solitary confinement. He certainly had enough time to reflect upon his life. Paroled in 2008, he worked as a paralegal at the University of Michigan. Employed by the State Appellate Defender Office, he earned a law degree from Wayne State University. He is the embodiment of redemption, what the criminal justice system is partly designed to produce. Former Chief Justice Bridget McCormack admitted, *“Every police officer and sheriff’s deputy I know are big fans of real redemption and Pete Martel is a story of real redemption.”*

There are five specific and primary objectives that the United States Criminal Justice System attempts to achieve - 1) Retribution, 2) Deterrence, 3) Rehabilitation, 4) Incapacitation, 5) Restoration. Justice Richard Bernstein has been well respected and supported by members of this community. It is evidenced by his re-election to the Michigan Supreme Court. He has attended services at many churches, halls, and civic gatherings within the African American community. Always a welcomed guest, his remarks came as a shock and a blow to many throughout the community. In issuing an apology he said, *“Today I apologized to my colleague Justice Kyra Harris Bolden in person at the hall of Justice and she accepted my apology. I regret overstepping Justice Bolden’s hiring process and should not have disturbed her ability to lead her chambers. I would also like to apologize to Mr. Martel.”*

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He did not sign up for people to be invited into his life." This acknowledgment is a start. However, we must also realize that claiming *"disgust for Martel's hiring"* has cost him to resign from his job and forced him to relive his prior negative activity. He has already paid that price. It has tainted Justice Bolden. Many persons will hear only the original attack made upon her. They will forever be stuck in the halls of an injustice done to her. Some will believe that she is more concerned about reforming criminals than protecting the public. Many in the African American community who often have tragic and deadly encounters with police departments around the state are left with an uncertain assumption. The assumption is the Justice Bernstein that we thought we knew is more concerned about protecting police than administering real justice. The Black Women Lawyers Association of Michigan put it like this, *"It speaks to the implicit and explicit bias which is contrary to the Judicial Code of Conduct. Canon 3 of the Michigan Judicial Code of Conduct states, 'A judge should perform the duties of office impartially and diligently.'"*

The central theme within the Black religious tradition is one of redemption. It grows out of the necessity for us to remember that *"we have all sinned and fall short of the grace of God,"* Romans 3:23-24. The Psalmist even writes, *"let the redeemed of the Lord say so,"* Psalm 107:2 According to my Torah, the holy book of the Jewish community, given to me by a dear friend and one I consider as my brother, *"Tikkun olam"* meaning repair of the world. It is a concept of Judaism in the pursuit of social justice and the establishment of Godly qualities. The late Justice Thurgood Marshall said, *"In recognizing the humanity of our fellow beings, we pay ourselves the highest tribute."* Former Chief Justice Bridget McCormack said it well. *"Mr. Martel was one of the best students I ever had. I wish I'd have hired him as a law clerk. I can't think of anything in a justice system that we value more. We should support people who succeed at redemption."* I believe that Justice Bolden leaned upon her wisdom as she made the decision to hire Mr. Martel. There must be recognition of the humanity of our fellow beings.

What we need are more folks who have been redeemed to play a significant role as clerks, office staff, paralegals, and even police officers within our judicial system. After fulfilling all of their legal obligations, required by our system of justice, their lives can demonstrate redemption. Perhaps Justice Bernstein can lead the way to a second chance and a new day. Justice Kyra Bolden was asked at a recent Fannie Lou Hamer Political Education meeting, how does she handle criticism? She replied, *"I remain open to discuss any issues, within legal limitations with anyone. I am open and accessible. I know everyone will not agree with me and decisions that I may make and that's all right. I will listen to what you are saying. If it bears substance on important subjects, I will consider it. If it is just a criticism with no substance, I simply dismiss it."* This great great granddaughter of Jesse Lee Bond, lynched by a mob in 1930's Tennessee, appears to stand tall for her new responsibility to do justice. She should not be jeered. She should be cheered. She clearly understands the difference between retribution and redemption.

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