

Praying for the Integrity of Justice

Fr Andrew Hamilton SJ | 28 June 2019



The Pope's Intention for July is the Integrity of Justice: That those who administer justice may work with integrity, and that the injustice which prevails in the world may not have the last word.

Small children have an instinctive sense of justice. They know if they are being treated unfairly and resent it. They also feel for others whom they think are being picked on unjustly. Of course, their sense of justice can sometimes degenerate into self-interest – they call every limitation of their freedom unjust. Respect for justice, however is vital in families. Nothing destroys trust and energy in families and societies more effectively than injustice.

A WORLD THAT WORKS FOR EVERYONE

That is why Pope Francis' intention this month is not a minor point but is central to building a world that works for everyone. He recognises that in all societies some people will profit unjustly at others' expense. They bend the law, break the law, and try to pressure governments and public servants to overlook their illegal behaviour.

To protect society every nation needs judges who are independent of government and whose decisions cannot be bought. Ideally they should be appointed after consultation with their peers, supported in their decisions by government even if those decisions are not in its interests, and scrupulous in avoiding conflicts of interest and sharp commercial practices.

BULWARK AGAINST TYRANNY

In his Intention, Pope Francis explains why this is so important. Judges are often the last court of appeal against the tyranny of government and the unbridled power of wealthy and well-connected people. We have only to remember the Royal Commission into the Banks to see how little people can be exploited and ripped off by people who claim to act in their interest. Governments, too, can treat people unlawfully

in depriving them of their rights and their liberty. They may also try to silence people who threaten to expose their wrong-doing.

In many nations there is no realistic appeal against the wrongdoing of the powerful. Judges are in the pocket of the government or of wealthy oligarchs. When people are brought to trial, their guilt is decided in advance. Judges are there only to pass sentence. This ultimately corrodes the responsibility of citizens for their society.

JESUS' EXAMPLE

Pope Francis, of course, writes as a follower of Jesus. At the heart of the Gospel is the story of an unjust trial where a cowed magistrate convicts Jesus on false evidence, and where Jesus' rising from the dead was the triumph of love over injustice. Jesus' example has encouraged brave people through the ages to protest against unjust judges, and has strengthened judges to insist on their independence and commitment to truth even if they are persecuted for doing so.

It seems the challenge to fairness in Australia comes less from judges than from our law makers. Mandatory sentencing, placing children in detention as the first option, depriving people who seek protection of the protection of law all diminish people and ultimately corrode respect for justice.

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