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Keynote address on Justice - Ms Lisa Schneider

Ladies and gentlemen,

So here I stand. A year ago at the Berlin Kirchentag Fr Heikki asked me whether I would be willing to give a keynote presentation on justice here today.

First of all, I was not so certain of whether I was the right person for the job. My legal career is not very long yet and it has rarely included Philosophy of Justice. If you were looking for a lawyer there would certainly have been more qualified candidates.

But apparently that is not what it was about. The speaker was supposed to be young person with a background from church youth work. Someone who enables the Conference of European Churches to take a youthful perspective on justice.

So it was attempting to involve youth. That is what I have been working on particularly in the last four years. Giving young people a voice that will also be heard – not in a separate parallel event or through using them as ‘little helpers’, but at the heart of the Assembly.

So clenching my teeth, swallowing my self-doubt, controlling on my nervousness – here I stand. With the special concern to convince you all of the added value of genuine youth involvement. But now to the topic of justice.

People frequently say that young people have a particularly strong sense of justice. I have my doubts as to whether they are not confusing a natural sense of justice with a purely subjective feeling of injustice.

That is by no means the same. I can *subjectively* feel something is unjust which *is* just, after all, if I take a more *objective look*. My mind and my reason tells me that it is just – and yet I have an uneasy feeling.

In my training at the public prosecutor’s office I once had a very memorable experience. I was representing the prosecutor in a court hearing. It was about two young people who had done bodily harm to a worker in a fast-food restaurant. A third person had got involved, who had been previously sentenced for assault on several occasions. This had been on Friday night at Düsseldorf railway station. The file and the charge were absolutely standard. Masses of them come before the public prosecutor in a big city. My mentor prepared me for it in two minutes. And yet everything was destined to turn out differently. Suddenly a couple turned up in the courtroom. They were only a few years younger than me. They looked as though they could not hurt a fly. At first sight they looked like very calm types, always polite, diffident and inconspicuous. Hand in hand, heads down, completely intimidated, they entered the courtroom, accompanied by their lawyers. During the proceedings (which must have lasted 2.5 hrs) it became very clear to the judge and to me that these two people must have been at the wrong time in the wrong place. A series of unfavourable circumstances and misunderstandings. Against the agreement with my mentor, I pleaded for them to be acquitted, and the court ruled accordingly.

A fair trial and a just decision. In a state based on the rule of law, a charge is made on the basis of sufficient evidence and the court then decides on guilt and the sentence. And yet I felt everything to be so unjust. At the wrong time at the wrong place. Wrongly accused of an offence. At least six months in prison. If you ask me – that gave them the shock of their life. A scar that will never disappear. The uncertainty during the court case, the tribulations of the oral proceedings ... innocent until proved guilty, and the rule of law reflected in the trial are small consolation if you are confronted for the first time with the hands-on possibility of a prison sentence.

Young people often have a particularly strong feeling of injustice. That is something subjective; something hard to understand and sometimes also hard to argue. It is often an impulse. You know something without knowing why you know it.

I believe that children are not better at this but they simply do not pretend. They don't think deviously. If anyone takes something away from me, or hurts me, it is not fair. And they are often right. But sometimes I have myself taken something away just before, or said something hurtful. That is then glossed over in their judgement.

Justice is not on the curriculum of formal education. And yet people absolutely have to learn how to act justly. The more complex the matter, the harder it is to make a judgement on what is actually just. Or, as we jokingly said in our legal training: to wake the sleeping dog. An ordinary "just because" is insufficient grounds for the decision.

Just action is something people learn more or less successfully in the course of their life and above all in childhood. My action today is moulded by values, models and experiences that I learned and gained as a child.

People learn through interacting with others – in the family, in school, in their leisure time. They learn about justice but, above all, also through working with children and adolescents. In youth clubs, Sunday School, children's camps, or children's Bible weeks. Frequently these groups are led by young volunteers who try to teach the children to behave justly through using Bible stories and games. Children learn to reflect on ways of behaviour. Events are discussed and light is shed on different viewpoints. Children are made aware that they should not follow the law of the strongest or of those who shout loudest. And that it is desirable and rewarding to stand up for others. Children practise giving, and justifying, their own take on things and their opinion. But above all, they also learn to listen.

Volunteer leaders also learn a huge amount. Through what they do, from each other and particularly from the children. The value of this education is often not recognised – particularly when it comes to funding educational programmes. In youth work there is a lack of staff, financial and material resources. There is a lack of professional staff to give the volunteers necessary support. There is a lack of premises to hold the programmes. There is a lack of money to implement projects and enable access to all. Not least, there is a lack of recognition of the service rendered by volunteers.

Recognition in the sense of grateful appreciation – but also in the sense of recognition as a qualification.

My voluntary commitment in youth work and in the church has filled a large part of my free time in over 14 years. In the curriculum vitae that I attach to job applications I mention this voluntary activity at most in passing. That is because it brings me no advantage over other, similarly qualified applicants – on the contrary: employers often think that in this time I have just organised fun times for children and teenagers and travelled around Europe, instead of concentrating time and energy on my training. In fact, through my voluntary work I have acquired 'soft skills' in such fields as understanding human beings, working in a team, organisation and coordination, not to mention conflict resolution, skills that are most relevant in professional life. But many employers perceive this at most in the job interview – if I am invited to one at all. I am not alone with this, by the way; my friends and former contemporaries at university report

similar experiences. This even goes so far that many young people who don't see themselves as working in the church or social field refrain from volunteering altogether, or stop such activities after a short time. That is not just a problem for our society. It is above all a problem for the churches. What points of contact do young people between 18 and 27 have with the church, otherwise? These young people are being lost. The church's outreach is becoming even more limited.

But back to learning and teaching justice.

It is often not at all easy to understand what the Bible means by justice – let alone to teach it to others.

My favourite example is the parable of the workers in the vineyard. A land-owner employs workers in the morning to work in his vineyard. He arranges a daily wage of a silver coin. During the day he employs other workers. At the end of the day all the workers receive one silver coin, regardless of when exactly they started work.

I have read and heard this parable often. We know how it ends and why. And yet it is not always easy to accept the result. I am fairly sure that I would have behaved the same way as the workers who had been there from the beginning. Justice is here quite simply defined on the basis of the services exchanged.

It becomes really hard to try and reconcile justice with Christian teaching when the situations become more complex. The stories in the Bible are pictorial – for illustration – overstated – to the point – simplified. In real life, people - particularly children and youth - encounter situations that are not so easy to assess.

A few years ago, we in the EYCE struggled internally with what we called “Sharewich Day”. This Sharewich Day had been invented by our campaign “Break the Chains” – a campaign to overcome poverty. I have brought along a short film to illustrate it.

The film arose in a later phase of the project, and perhaps it does not quite bring out the original idea. The sandwich is to be shared with a person who lives in poverty. This person is to be shown respect, interest and empathy. At the same time, it was meant to widen our own horizons – not talking *about* the poor – but *with* them: what is important to them, how they are doing, what they think and how they feel.

Very literally and close to the Bible. And yet it soon became clear that there was not much involvement. Our committee was also far less enthusiastic about this project than the campaign team.

First, there were reservations that were hard to put in words but somehow bothered everyone and stopped them participating: who am I to force my sandwich on someone in the street and get them involved in a conversation? What he or she thinks is not my business. Isn't it somehow discriminatory to look for a 'poor person' just to try out this idea – in which case most of us would judge by appearances, the first impression. But then, when is someone 'poor'? But also looking at the bigger picture raises justice issues again: is it really right to set up foodbanks, soup kitchens etc to combat poverty? That does not help people on a long-term basis. We are just tinkering with the symptoms and – instead of promoting this person's autonomy – maintaining his or her material dependence. A dependence that is closely linked with social exclusion. Through treating the symptoms are we not perhaps even papering over the suffering and preserving social injustice?

Please don't misunderstand me. I want to raise these questions without answering them in one way or another, and certainly do not want to run down the efforts of social welfare organisations.

Inside the EYCE the conflict bubbled up as to whether we are making it too easy for ourselves and actually should start at a different level if we are serious about eliminating poverty.

On the other hand: What is the alternative to individual emergency aid in the form of Sharewichee Days, soup kitchens and food banks? Is it fair to let people suffer so that their problems remain visible and the need for action remains urgent? Is dependence, to put it bluntly, not still better than dying of hunger? Can we stop giving relief by reference to the big picture that should actually be changed? On that I think all of us in the room agree.

I do not want to go into this any more deeply here. My concern is to point up the problem and show the difficulty in resolving it. This is only an example for the fact that the complexity of the matter mostly goes hand in hand with a complex assessment. Much can be argued to be just, and precisely in the Bible we find no clear-cut reply to that. It must be clear to any theological layperson that it is not enough just to share a meal with poor individuals. Jesus did not just pat the lame and the blind persons kindly on the head and show a bit of empathy. Instead he gave them their freedom and independence of others. That was sustainable assistance.

Instead of combating poverty I could focus equally on farm subsidies, free trade agreements, development aid, aware consumption etc. There is no black or white solution but justice often lies somewhere in the countless shades of grey.

In the EYCE seminars we work on very similar topics, as also in other areas of the church. It is about social justice, sustainable development, human rights and much more. All these topics share the fact that they are extremely complex. The closer you look, the more complicated it is.

You can make it very easy for yourself: all of us here are presumably for social justice, sustainable development and human rights. Even if we go a step further and define these terms, we will probably agree. But if we then go on to put them into practice many in the room will have very many different ideas about what is right: where they can agree. What they find just.

Young people in the church are looking for answers to these questions. All too often they are disappointed. At the time in which I organised EYCE seminars I often despaired of myself. The temptation is great. Simple answers are so much easier to convey. Exciting, palatable presentations can be designed that everyone can agree with. There are countless creative methods that we can use. Everyone can join in. Without bothersome details it is relatively easy to find common positions that lift your spirits.

However, the more deeply you explore a topic, the more aspects have to be considered. They call into question what first seemed such a simple division into good and bad. Is the complex not a little more complicated? Mustn't we be more discerning?

It is often hard to find the golden mean. I do not want to lose myself in a flood of details and conclude, in the end, that I am not in a position to take a position. At the same time, I need a certain depth so that the result can meet my ambition to find justice. And also so that I do not judge anyone unjustifiably.

When I look around to see what churches do, I often conclude that they can't resist the temptation to prefer simplicity to the necessary depth. In position papers and actions we find the usual enemy stereotypes and simple argumentation – and not realistic, differentiated solutions.

I constantly recognise the general judgement that "small and weak is good, big and strong is bad". This model may be borrowed from the Bible. It runs through the parables like a leitmotiv. Yet be careful: if we are not consistent, a lot of bad people will be sitting here in the room: e.g. we the university-trained – or in the terminology of the Bible 'scribes'; very few of us are poor and ill; here in the room there are also a few churches that can hardly be called small and weak, nor do they want to be – but others do. So if we are consistent on this issue we will often lose out.

I would wish that the church did not make it so easy for itself. Naturally it should not withdraw from any position on principle, simply because the problem has not been thoroughly sounded out. That would not do justice to the matter. But a certain depth and differentiation is simply essential for a just result.

Let me sum up this complex once again: young people are ready for the hard way. They are serious about justice and ready to think out of the box in order not to close up to new perspectives, to penetrate the matter comprehensively and to think the justice business through to the end. They have perseverance and enthusiasm, a thirst for knowledge and curiosity. They perhaps have no natural sense of justice, but all the more need for it. In their quest they need the support of their churches. Their churches have long years of experience, experts, networks etc.

This thirst for truth and justice becomes blunted when they see that 'grown-ups' only have easy solutions too. Everything seems so simple. Then I must be wrong and can save myself the work in future.

People frequently expect churches to set an example of just action. They must practise what they preach. That is no easy task, because even inside the church everyone can be for justice and yet have a completely different idea of what that means.

In their voluntary work or otherwise in contact with the church, young people come up against decisions and behaviour that they feel are unjust. Having considered it a role model, they then take that particularly amiss. It does not seem authentic. In their eyes the church does not practise what it preaches.

People working for the church lose their jobs. Premises or funding for youth work is cancelled. In discussions or processes, church leaders behave in just as scheming and calculating a way as secular politicians or business players. Youth participation falls short or, what is actually even worse, is only carried out as an alibi. In shaping democratic processes, not enough importance is attributed to securing minority rights. People are excluded. I could extend this list quite a bit.

There will always be different views of what is just. It is our Christian mandate to strive for justice and do our utmost to achieve it. Here we are fallible.

As a church we must admit that too and communicate it accordingly. The church does not have a patent recipe for justice. Mistakes are made and wrong decisions taken, about which we can have different opinions.

In my view, churches are not marked by being above any doubt, but by allowing doubts, listening to them and taking them seriously. A striving for justice does not mean to me that we do everything right and only make correct decisions. I am spending the last stage in my legal training at the court of appeal of the upper district court. There I work on cases that have already been decided by the first instance. At the district court three outstanding lawyers have already dealt with the matter and taken a decision after extensive deliberations and oral proceedings. And then a law student in training pops up, still wet behind the ears, and suggests that they should cancel this decision and rule differently. There is nothing wrong with that. It is so much simpler to criticise a decision as wrong than to design a right decision on the drawing board. Possibly the judges in the first instance understood something wrongly, which the parties have clarified in the appeal. Partly because the system works in such a way that the judges at the district court decide many cases in a short time. Most of the time they are reliable and accurate. And if anything goes wrong... precisely for that eventuality there is the appeal court. There someone else concerns themselves in greater detail with the case and checks on whether everything is really quite correct.

That is how I would like to see churches. Acting and taking decisions conscientiously. Taking a good look and weighing up all the circumstances. They should not make the decision easy for themselves by proposing easy solutions for complex problems.

Here it is worth reflecting occasionally about legitimacy. Churches have the ambition of speaking for their members to the outside world. That is only legitimate when the members accept the decisions or at least live with them. In some cases there are more or less democratic bodies for this, consisting of representatives and electing these representatives. That creates a certain degree of legitimacy.

It becomes problematic, however, if only a small share of members is actually represented and can identify with the decisions. In a diverse membership there will always be people who do not agree with the results of the decision. If they have been involved in the decision-making process and were permitted to express their doubts in the end they will usually be willing to accept the result. It is different if – not to put too fine a point on it – in churches decisions are always taken by older, white men, who live in a completely different world from young people in Europe. This has an influence on the topics dealt with, the way they are dealt with and the result. Only if, e.g. young people can identify with the decisions of the churches can churches sincerely claim to speak for this age group. Naturally, that applies equally to other groupings within the membership.

Participation not only increases the acceptance of a decision but widens and deepens the grounds for decision as well. Participation is a lot of work. Especially if those to be involved have different ways of working and different idiosyncrasies. They get into conflict about methods and mechanisms that are for some a matter of course and for others completely foreign.

In passing, let me say that youth participation is not just a matter of delegating this to youth organisations. The conditions of cooperation often witness to whether participation is genuinely desired or not. An invitation to a working group from Monday to Wednesday in Brussels is no way to enhance participation, rather it is a way to stay with your own group. Those wishing to really involve young people can benefit from the expertise of youth organisations that have developed models for that over decades. Those wishing to cooperate with youth organisations must, however, ensure their financial survival. In his report the general secretary says that is a “serious concern for CEC and its member churches”, page 22.

But all that will pay off. Churches will this way again appeal to a broader membership. Their voices will have more power and relevance. And they will live up to their role as examples in matters of justice.

Many thanks.