

JUSTICE AND PEACE

AS A LAWYER AND AN ACADEMIC I HAVE OCCASION TO THINK ABOUT MY TOPIC FREQUENTLY. USUALLY WITHIN THE FRAMEWORK OF THE CRIMINAL JUSTICE SYSTEM AND CONFINED TO A PARTICULAR CASE.

IT WAS, AT ONCE, INTERESTING AND CHALLENGING TO HAVE THE OPPORTUNITY TO VISIT THE TOPIC IN A DIFFERENT CONTEXT.

JUSTICE IS FREQUENTLY DEFINED AS:

JUST CONDUCT

FAIRNESS

THE EXERCISE OF AUTHORITY IN THE MAINTENANCE OF RIGHT

PEACE AS:

FREEDOM FROM OR CESSATION OF WAR

FREEDOM FROM CIVIL DISORDER

QUIET; TRANQUILLITY

AT FIRST BLUSH AND EVEN ON REFLECTION THOSE DEFINITIONS ARE DIFFICULT TO RECONCILE WITH SLAVERY, EXCEPT IN NOTING THEIR ABSENCE FROM THE LANDSCAPE.

SLAVERY IS PERHAPS THE DIREST CIRCUMSTANCE IN THE HUMAN EXPERIENCE, AND THAT IS SO WHETHER YOU ARE THE SLAVE OWNER OR THE SLAVE. FOR THE SLAVE IT IS NOT HARD TO IMAGINE THE INTENSE ANGER AND DESPARATION THAT ATTENDS FINDING ONESELF CAUGHT UP IN THE UTTER INHUMANITY OF THAT POSITION; WHERE EVERY INTIMATE DETAIL OF YOUR LIFE IS CONTROLLED BY ONE WHO HAS NO APPRECIATION OR REGARD FOR YOUR HUMANITY, WHILE DECLARING FOR THEMSELVES RIGHTS TO LIBERTY, JUSTICE AND THE PURSUIT OF HAPPINESS.

LESS OBVIOUS, PERHAPS, IS THE NEGATIVE IMPACT THAT MUST ULTIMATELY CREEP INTO THE LIFE AND BEHAVIOR OF THE SLAVE OWNER. I WONDER SOMETIME IF THE MEASURE OF VIOLENCE WE EXPERIENCE IN OUR SOCIETY TODAY, AMONG STRANGERS CERTAINLY, BUT MOSTLY WITHIN THE FAMILY (WHETHER IT BE BETWEEN HUSBAND AND WIFE OR PARENT TO CHILD) IS RELATED TO THE VIOLENCE THAT ATTENDED AND WAS LIKELY SEEN AS NECESSARY TO THE MAINTENCE OF SLAVERY AS A SYSTEM? THE VERY IDEA THAT ONE COULD OWN ANOTHER HUMAN BEING AND RELATE TO HIM OR HER LIKE SOME INANIMATE OBJECT, NOT WORTHY OR DESERVING ANY MEASURE OF RESPECT OR HUMAN DIGNITY IS WITHOUT QUESTION REPULSIVE.

YEARS AFTER THE OFFICIAL DEMISE OF SLAVERY WE STILL EXPERIENCE ITS NEGATIVE RESIDUAL LEGACY, AN INABILITY TO CURB VIOLENCE - ACTUAL AND PSYCHOLOGICAL, AN INABILITY TO CONSTRUCT A JUSTICE SYSTEM THAT LIVES UP TO THE IDEAL OF EQUALITY. AN INABILITY TO DESIGN A SYSTEM THAT MEETS THE CHALLENGE OF FACING THESE LINGERING EFFECTS OF THE DOMINEERING ATTITUDES INSTILLED IN THOSE WHO WOULD TREAT ANOTHER AS A PIECE OF PROPERTY.

ONE HAS TO ASK TO WHAT EXTENT THAT LEGACY CREATES AN OBSTACLE DIFFICULT TO SURMOUNT WHEN WE SHOULD BE SEEKING PEACEFUL SOLUTIONS TO PROBLEMS BETWEEN NATIONS AND HERE AT HOME.

IT IS VITALLY IMPORTANT THAT WE DEAL WITH THIS LAGACY NOW. I AM OFTEN REMINDED OF A LESSON TAUGHT EARLY IN MY LAW SCHOOL EXPERIENCE: THAT THE FACT THAT YOU COULD NOT DO EVERYTHING NECESSARY TO FULLY RESOLVE A PROBLEM SHOULD NEVER KEEP YOU FROM DOING AS MUCH AS YOU CAN. I TRY TO COMBINE THAT WITH A LINE FROM A GIL SCOTT HERON SONG THAT SAID “NO ONE CAN DO EVERYTHING, BUT EVERYONE CAN DO SOMETHING.”

THIS HAS BEEN THE OUTLINE OF A PROBLEM OF GREAT MAGNITUDE AND AS SUCH IT CAN SEEM OVERWHELMING AND MAYBE IMPOSSIBLE TO MANAGE. WHENEVER I START TO FEEL THAT WAY I REMIND MYSELF OF A PASSAGE FROM THE DIARY OF ANN FRANK AND I'D LIKE TO END MY REMARKS WITH IT TONIGHT. AFTER ALL SHE HAD BEEN THROUGH I THINK IT WAS QUITE REMARKABLE THAT SHE COULD WRITE THIS.

“I STILL BELIEVE THAT PEOPLE ARE REALLY GOOD AT HEART. I SIMPLY CAN'T BUILD MY HOPES ON A FOUNDATION CONSISTING OF CONFUSION, MISERY, AND DEATH. I SEE THE WORLD GRADUALLY BEING TURNED INTO A WILDERNESS, I HEAR THE EVER APPROACHING THUNDER, WHICH WILL DESTROY US TOO, I CAN FEEL THE SUFFERINGS OF MILLIONS AND YET, IF I LOOK UP INTO THE HEAVENS, I THINK THAT IT WILL ALL COME RIGHT, THAT THIS CRUELTY TOO WILL END, AND THAT PEACE AND TRANQUILITY WILL RETURN AGAIN.”

WE SHOULD TRY NOT TO FAIL THAT IDEAL.

FINALLY, SLAVERY WAS NOT A PROBLEM OF UNKNOWN ORIGIN. IT WAS A SYSTEM DEvised BY MAN AND THERE IS EVERY REASON TO BELIEVE ITS REMAINING EFFECTS CAN BE RECTIFIED BY THE EFFORTS OF MAN.

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