

PRISONS AND PREACHERS

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Preaching on prisons calls for us to do three things: (1) provide an accurate analysis of the social context in which we and the prisons exist; (2) do theological reflection on this context; (3) offer concrete proposals for effective action by the church. All of this will, of course, be more persuasive if it is based on our first-hand experience with jails and prisons in our own communities. What follows are some words on context, reflection and action designed to be of help to you in preaching on prisons.

I. Context: Where Are We?

Talking about prisons makes us uncomfortable. Most of us have never been in a prison or jail and don't want to go into one even temporarily. We feel guilty when we hear what hell holes they are but wish more criminals were caught and put away. Most of all, we are deeply worried and fearful of the violence in our communities.

Once we get past this immediate reaction, we recognize that our concern about the violence in our communities is realistic, but that prisons and jails do not and cannot deal with the causes or results of crime and violence. Rather they make things worse. To put it bluntly, prisons are a failure. People of all shades of opinion, including Norman Carlson, Director of the Federal Bureau of Prisons, agree they are a failure.(1)

First, prisons do not rehabilitate. In fact, prisons and jails are violent and dangerous places that, at their worst, teach people violence and crime and, at their best, render people less able to function as law abiding citizens in society. In these inhuman and expensive factories of crime, homosexual rape, beatings, death and suicides are frequent and the most casual interaction may escalate into lethal violence. Indeed, it would be difficult to devise a better method of draining the last drop of compassion from a human being than confinement in most prisons today. Charles Silberman concludes, in a recently published study of the criminal justice system sponsored by the Ford Foundation, "Clearly, prison life brings out the worst--the most brutal, violent and sadistic--tendencies in human behavior."(2)

Not only do prisons not rehabilitate the people put in them but also they do not really protect us. The official National Advisory Commission on Criminal Justice Standards and Goals reported in 1973, "The American correctional system today appears to offer minimum protection to the public and maximum harm to the offender."(3) One statistic will serve to illustrate: 80% of all felonies are committed by repeaters who have been to prison.(4) The already high rate of imprisonment(5) has no apparent effect on the rate of reported crime. Neither does the crime rate explain the rate of imprisonment. Instead, the percent of unemployment, especially among young black people, seems the best way to forecast prison and jail populations.(6) The whole range of alternatives to incarceration--probation, parole, work release halfway houses, pre-release guidance centers, fines, public service requirements and restitution are less costly than incarceration and

consistently produce lower rates of recidivism according to the National Advisory Commission on Criminal Justice Standards and Goals.

There is a third way prisons (and other parts of the criminal justice system) fail us. They discriminate against the minorities and poor. No race or social or economic class commits more crime than another, but poor and minorities are arrested, prosecuted, sentenced and imprisoned more often proportionately. In an open letter to then Attorney General Griffin Bell on February 8, 1978, Milton G. Rector, President of the National Council on Crime and Delinquency, said, "Despite the preponderance of lower class persons in official records, the lower classes neither commit offenses more often nor commit more serious offenses. . . . Lacking education, influence, and resources, [poor and minorities are, however,] liable to penalties of imprisonment and desocialization from which members of the middle and upper classes are relatively immune, even though they may engage in behavior that, defined in operational terms is identical in its social effects. . . . Typical of American studies is one of 3,475 Philadelphia delinquents that found that blacks and members of lower socio-economic groups are likely to receive more severe dispositions than whites and the more affluent even when the appropriate legal variables are held constant." The scandalous truth is, that despite a few celebrated cases, a disproportionate number of the socially privileged who are law breakers go unprosecuted and few of them are ever convicted or incarcerated.(7)

Finally, the grim facts are that the South's prisons systems are the worst in the nation. With only 28% of America's population, the Southern states hold 38% of the prisoners--111,708 out of a total of 292,325 prisoners nationwide. The overcrowding that results from this high rate of imprisonment is responsible for much of the most inhuman conditions in state prisons. Clear evidence of the seriousness of the situation in our prisons is the fact that six southern states are currently operating under court orders because of conditions in the prisons which the courts have ruled "cruel and unusual punishment." (8)

"The short, non-scientific term that best describes most penal institutions is evil," declared the Director of the District of Columbia Department of Corrections.(9) This succinct summary of the situation significantly is posed in theological terms. Indeed, the problem we face is fundamentally a theological one and calls us to look into the resources of our faith for help and guidance about how to respond to the crisis of the bankruptcy of our prisons. We recognize at the beginning that the Christian faith cannot provide a detailed plan for a good justice system or what to do about prisons, but it can and does speak about our motives, what the fundamental goals of justice ought to be and what is the responsible role of the church toward prisons and prisoners.

II. Reflection on the Context: What Are We to Believe?

In Paul's portrayal in II Cor. 5:16-21 of reconciliation between God and us as human beings and between us and other human beings, we find guidance and direction.

From now on, therefore, we regard no one from a human point of view; even though we once regarded Christ from a human point of view, we regard him thus no longer. Therefore, if any one is in Christ, he is a new creation; the old has passed away, behold, the new has come. All this is from God, who through Christ reconciled us to himself and gave us the

ministry of reconciliation; that is, God was in Christ reconciling the world to himself not counting their trespasses against them, and entrusting to us the message of reconciliation. So we are ambassadors for Christ, God making his appeal through us. We beseech you on behalf of Christ, be reconciled to God. For our sake he made him to be sin who knew no sin, so that in him we might become the righteousness of God. (II Cor. 5:16-21)

First, we are called to regard every person, including those in prison, as the brother or sister for whom Christ died. Paul says, "From now on, therefore, we regard no one from a human point of view." (II Cor. 5:16) As D. P. McGeachy, III, who has been active in a prison ministry in Nashville, puts it, "What should our attitude be toward murderers, rapists, embezzlers, forgers, drug pushers, and car thieves? How should we view them? As though they were the Lord! That is very hard for most of us to do. But it can't be helped. We are under orders: 'As you did it to one of the least of these my brothers (and sisters), you did it to me.' (Matt. 25:40) So we will have to learn to do it as hard as it is." (10)

Can we learn to regard no one, not even criminals, from the human point of view in the face of our fears of violence and crime and our stereotypes of people who commit crime? Yes, because we remember that "God was in Christ reconciling the world [including us] to himself, not counting their trespasses against them." (II Cor. 5:19) We are in the same relation to a holy God as the guilty criminal is in relation to a just judge--tried, convicted and imprisoned. It is as if we are sitting in the degradation of prison knowing we are guilty, separated from community with God and unable to do anything about it. Then someone throws open the doors of the prison and we hear the good news that we are pardoned and freed. As the 1978 General Assembly put it in "The Church and Criminal Justice":

God's annihilating wrath against sin, and his terrible justice, is executed in such a way that he takes it on himself rather than let it fall on those who deserve it. In Jesus Christ the Judge lets himself be judged. The righteous one stands with and by and for the unrighteous and takes on himself the consequences of their unrighteousness. The verdict and sentence are carried out in such a way that it is not against but for the unjust. In the exchange of places between the Judge and unrighteous sinners in Jesus Christ, we see both God's justice and God's love in the same act--love which is just and justice which is loving. (11)

Our human solidarity with the imprisoned, as well as with all criminals, is based on our confession that we are co-conspirators in the "crime" of breaking God's law, that we are all forgiven sinners, released captives and that despite our conviction and sentence as offenders, the day of our deliverance has come. This frees us from the blight of pride and Pharisaism which says "Lord, I thank you that I am not like those people."

Secondly, Paul makes an astonishing statement about how Christ not only takes on himself the consequences of our unrighteousness but also enables us to "become the righteousness of God" (Cor. 5:21). To understand what this might mean for us, I think we need to clear away the cultural rubbish that has collected around the word righteousness and obscured its meaning. The word has become a kind of generic term for approved conduct, for uprightness and morality in general. And a clue to

the shallowness of our common meaning is the opprobrium attached to "self-righteousness." We need to look at the Old Testament usage of righteousness which shapes the interpretation of this New Testament context. In the Old Testament, the closest synonym to righteousness is justice especially for the poor and oppressed; the two words are often linked together:

Give the King thy justice, O God, and thy righteousness, to the royal son!
May he judge thy people with righteousness, and thy poor with justice!
Let the mountains bear prosperity for the people, and the hills, in
righteousness! May he defend the cause of the poor of the people, give
deliverance to the needy, and crush the oppressor! (Psalm 72:1-4)

Righteousness/justice are central to the coming Messiah and God's kingdom:

Of the increase of his government and of peace there will be no end,
upon the throne of David, and over his kingdom, to establish it, and to
uphold it with justice and with righteousness from this time forth and for
evermore. The zeal of the Lord of hosts will do this. (Isaiah 9:7)

But with righteousness he shall judge the poor, and decide with equity
[justice] for the meek of the earth. (Isaiah 11:4a)(12)

In the Old Testament, righteousness is the fulfilling of a just and right relationship with God and with other people, especially the oppressed and the poor, in order to restore community and wholeness. We are not talking about justice (righteousness) in the Western sense typified by the blind goddess of justice balancing scales and making impartial decisions based on a legal norm. Rather righteousness is especially concerned to protect and restore the rights of and do justice for the oppressed and hungry, the prisoner and the alien, and the poor precisely because their rights must be restored before true community can be restored and true justice done. Jesus embodied God's righteousness and got into trouble because he identified himself with the poor, with people who were outcasts and even those who were guilty of criminal offenses--prostitutes and extortioners. He said, "Unless your righteousness exceeds that of the Scribes and Pharisees [upright religious people much like you and me] you will never enter the kingdom of heaven." (Matt. 5:20)

God's righteousness is exercised for the lowly and despised and against those who hurt them or passively allow them to be hurt. Righteousness then is not so much about my individual relation to God as it is about God's relationship to the whole human community and his action on behalf of the oppressed, the poor and the powerless whom he declares to be "in the right." Righteousness has to do with society and the right relations of those in it so that community will be restored.(13)

When, through God's action in Christ, we become "a new creation" (II Cor. 5:17), as that new creation we become, amazingly enough, the righteousness of God. We no longer are willing to allow laws to be enforced to the disadvantage of the poor and the powerless and the advantage of the rich and powerful. We no longer are willing to allow the poor, the uneducated, and the oppressed to be warehoused in prison where the acid of despair, isolation and violence slowly eats away at the human spirit. We are biased, on behalf of the poor, the rejects, the exploited and the morally and spiritually weak of society precisely because God is. And God is

biased precisely because that is really the only way to bring true righteousness and justice.

Third, II Corinthians tells us that we have been entrusted with the message and ministry of God's reconciliation (II Cor. 5:18-20a). The news of the pardon and deliverance of all of us is news too good to keep. In the face of the headlines about crime and violence in our newspapers, we know God is at work overcoming every form of human estrangement, alienation, isolation and lack of community. There is surely no group in our society more isolated, alienated and estranged, more in need of restoration to community than those imprisoned. The imprisoned have a special claim on our compassion and sense of justice because, as the imprisoned, they have become the victims of an oppressive and destructive system rather than constructive and healing forces. The message of reconciliation which God gives us is addressed not only to you and me personally and to individual prisoners but also to institutions, communities, and nations. We understand about individual sin and the way God's reconciliation can reshape and renew the life of even the most hardened person. We are not so clear about corporate sin and the evil that is embodied in institutions like prisons. If our ministry of reconciliation is only addressed to ourselves, or even to individual persons in prison in need of Christ's reconciling action, we shall be powerless to expose and overcome those impersonal forces and powers, those principalities and powers, that maintain and extend the injustice and failures of the present system. So the ministry of reconciliation is to the imprisoned and to the society which allows prisons to fester. If we are going to be agents of reconciliation, we are going to have to be willing to risk for the sake of the gospel because this will not be a popular cause. Our neighbors may call us "molly coddlers" or "bleeding hearts." Karl A. Menninger, who has spent years of his life working to end the scandal of our prisons, has the right answer to this charge: "Stand right up to them I would say. If molly coddling means having sympathy for a wounded, hurting man [sic] whom others dislike, be a molly coddler. I think Presbyterian principles would support you. And as for bleeding hearts, I would say to them, 'Yes.' What we have seen in the jails and prisons is enough to make hearts bleed. If, indeed, one has a heart, and eyes to see and ears to hear." (14)

But what gives us hope that anything can be done? Even a quick look at prisons tells us that the problems are complex, emotion-laden and not easily soluble. Paul tells us in II Corinthians what gives us hope. It is the conviction that God's power is already at work in the world. The message of the gospel of reconciliation is that human beings and even social institutions can be changed, not just superficially but fundamentally. "When anyone is united to Christ, there is a new world; the old order has gone, and a new order has already begun." (NEB II Cor. 7:17) God's reconciliation is not the smoothing over of minor differences between individuals; it is the revolutionary conversion from hostility and enmity to community. Despite the corrupting influences in people and in society, human beings can become new people and destructive institutions can be replaced by those which do not destroy. We are not powerless because we have the power of God at work in the world. Hope in God gives us courage for the struggle. The people of God have often misused God's promises as excuses for doing nothing about present evils. But in Christ the new world has already broken in and the old can no longer be tolerated. We know our efforts cannot bring in God's kingdom but God will. Hope plunges us into the struggle for victories over evil that are possible now in the world, the church, and our individual lives. Hope gives us courage and energy to contend against all opposition, however invincible it may seem, for the new world and the

new humanity that are surely coming.

In summary, II Corinthians gives us direction for how we should reflect and act on the scandal of our prisons and jails:

1. We are to regard no one from a human point of view but see everyone--even murderers, embezzlers and drug pushers--as the brother or sister for whom Christ died. We are in relation to God as the guiltiest criminal in relation to the just judge. Despite the verdict and sentence on us all, through Christ the sentence is carried out in such a way that the guilty are forgiven, set free and given a new life.

2. We are astonished that we are called to become the righteousness of God, advocating for and defending, as God does, the poor, the discriminated against, the oppressed, the exploited, the prisoner.

3. We are sent as agents of God's message and ministry of reconciliation to the imprisoned and to the society which allows prisons to fester.

4. We are given hope and power to act and persevere in the face of what seem like insurmountable difficulties because we are joining God's work of love and justice.

III. Action in the Light of Reflection on the Context: What Are We to Do?

Now that we have reflected on motives, direction, and hope from a biblical perspective, how shall we take the first steps to address the festering sore of prisons and jails in our community. What, in very practical terms, shall we do next? Let me suggest four concrete steps:

1. Do our homework. We need to learn about what is going on in the jails and prisons of our community and state. There are all kinds of excellent books and study resources which will help us systematically and seriously try to inform ourselves.⁽¹⁵⁾ We need to talk with ex-offenders, judges, corrections officials and community workers. We need to visit the jails, detention homes, halfway houses. We need to go and see for ourselves what the situation is.

2. Begin a ministry with the imprisoned. Downtown Presbyterian Church and Nashville Presbytery has a ministry with families of prisoners, helping families find housing, day care, jobs, counseling and emergency financial help. Memphis Presbytery and the Roman Catholic Diocese of Memphis train volunteers to work in twenty-seven community programs serving the needs of offenders and their families. Greater Little Rock Presbyterian Urban Council has developed a model program for dealing with youth in trouble so that the juvenile court does not have to rely on detention homes. National Capital Union Presbytery and congregations in Washington have supported a Community Mediation Center so that neighborhood conflicts can be settled outside the justice system. Second Presbyterian Church in Richmond transports families of prisoners to the state prison out in a distant rural area, with members of the congregation sharing a meal at the church with the families after the visitation trip. First Presbyterian Church in Dallas, Texas, has a ministry with women in the county jail providing counseling help in getting a job.

3. Work to change the way the community deals with those convicted of crime so that incarceration is seen as a last resort. Ministry with the imprisoned is a mandate of our Lord in the exercise of compassion. But we are also called to a ministry of righteousness and justice, a ministry of reconciliation that changes institutions that are destructive. Once we have visited prisoners, brought their children to visit them, prayed for them, worked with them to find jobs when they are released, shared their dreams and fears, become aware of how prison blights and destroys them, then we are moved, indeed compelled, to work for change toward a more just and constructive system. Richard A. Symes, pastor of First Presbyterian Church in Palo Alto, California, says, "I can testify that many curious, well-meaning, caring, middle-class men and women have been going into jails and prisons with the hope of somehow improving them and in a small way alleviating the pain and the grief of the imprisoned. More and more they are coming out of those jails and prisons convinced that those hopes are vain, that prisons, prisoners, and keepers are not what they thought they were when they began their work and that prisons must be destroyed and alternatives found. . . . The guilty shouldn't be in prison; there is nothing there that can help them, but the innocent should be there, because that is the only way to understand the dimensions of the problem."(16)

4. Do not give up hope. We cannot persevere if we depend on our own strength and courage in the face of powerful opposition, discouragement and inertia. And we need not. For God is at work in us and in the world.

Preaching on prisons is difficult because of at least three reasons. First, people's emotions are running high about crime. The media have so inundated us with stories about street crime that the public is preoccupied with and frightened of both potential and actual crime and violence. Second, few of us have had first hand experience with the terrible reality of prison. Third, preaching on prisons calls for skill and knowledge of several different kinds and we may not feel as competent in all of them (i.e., accurate analysis of the social situation, careful theological reflection on this context and concrete proposals for effective action by the church). Given these difficulties, is it worthwhile to preach on the issue? Each of us has to answer that for ourselves. But the words that keep echoing in my mind are "the least of these my brothers sisters."

(1) L. Harold DeWolf, What Americans Should Do About Crime (New York: Harper and Row, 1976), p. 34.

(2) Charles Silberman, Criminal Violence, Criminal Justice (New York: Random House, 1978), p. 392.

(3) National Advisory Commission on Criminal Justice Standards and Goals, A National Strategy to Reduce Crime, (Washington, 1973), p. 113.

(4) James E. Turpin, ed., In Prison (New York: New American Library, 1975), pp. 36-37.

(5) Only South Africa and the U.S.S.R. imprison more people than the United States. "International Rates of Imprisonment" from United Nations data show the following:

<u>Country</u>	<u>Rate (per 100,000 pop.)</u>
Union of S. Africa	400
U.S.S.R.	391

<u>Country</u>	<u>Rate (per 100,000 pop.)</u>
U.S.A.	250
Great Britain	84
West Germany	60
France	56
Denmark	54
Sweden	40
The Netherlands	22

(6) James R. McGraw, "Black Youth Unemployment: Grim figures, Grim Future," Christianity and Crisis, 39 (Aug. 20, 1979), pp. 203-204.

(7) William C. Nagel, "On Behalf of a Moratorium on Prison Construction," Crime and Delinquency, April, 1977, Jack H. Nagel, "Crime and Incarceration: A Reanalysis," School of Public and Urban Policy, University of Pennsylvania, September, 1978.

(8) Statistics are provided by Southern Coalition on Jails and Prisons Inc., P. O. Box 120044, Nashville, Tennessee 37212.

(9) Karl Menninger, "Imprisonment," in In Prison, ed. James E. Turpin, p. 31.

(10) Excerpted from Bulletin for Criminal Justice Sunday, February 10, 1980. Available in quantity from Materials Distribution Service, 341 Ponce de Leon Avenue, N.E., Atlanta, GA 30308.

(11) "The Church and Criminal Justice," 1978 Minutes of the General Assembly, PCUS, p. 197.

(12) See also Jer. 23:5-7.

(13) See E. R. Achtemeier, "Righteousness in the Old Testament," The Interpreter's Dictionary of the Bible (New York: Abingdon Press, 1962), IV, 80-85.

(14) Karl A. Menninger, "What Can Churches and Church People Do in Crime Control," (Synod of Mid-Americas, 1977), p. 13. Available from Materials Distribution Service.

(15) For information about additional study resources, write Office of Corporate Witness in Public Affairs, 341 Ponce de Leon Avenue, N.E., Atlanta, GA 30308.

(16) Richard Alan Symes, "No Mandate for a New Order: The Penitentiary in New York State, 1796-1840 with Implications for the Present," Diss. San Francisco Theological Seminary, 1978, pp. 238-39.