

The Convict Christ

What the Gospel Says about
Criminal Justice



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O N E

The Sermon in the Synagogue at Nazareth

America's Prison Crisis



IMAGINE a modern-day politician announcing his candidacy with a speech like the following:

Vote for me, and I will not help the rich, nor will I give tax breaks to the middle class. Instead, I will help the poor: the convenience store clerks earning minimum wage, the cleaning crews who work in the skyscrapers at night, and the unemployed who find no room in homeless shelters.

Vote for me, and I will not hire any more police officers, nor will I toughen any laws. Instead, I will release no less than half of all prisoners currently serving time in jails and penitentiaries across this nation. America is supposed to be “the land of the free,” but we have the highest incarceration rate of any country in the world. Let’s change that: Free the felons!

Vote for me, and I will not make sure that your HMO rates stop rising every year, nor will I require insurance companies to supply free Viagra through their prescription plans. Instead, I will furnish decent, nuts-and-bolts health care to all those tens of millions of Americans who have no medical coverage at all right now.

Vote for me, and I will grant American citizenship to all illegal immigrants, the invisible millions who do our society's dirty work for a pittance but cannot even send their children to our schools or get a driver's license. Their oppression has lasted long enough; let's welcome them into our family!

Of course we all know what would happen to a political candidate who made such promises today. So it is all the more surprising that Christ held a speech not too different from the imaginary one above at the very beginning of his public ministry two millennia ago.

Immediately after his baptism by John and his forty-day prayer retreat in the desert, "Jesus returned to Galilee in the power of the Spirit" and went to the town synagogue, the center of politico-religious power in his time and country (Luke 4:14). There he announced the four central planks of his campaign platform for bringing in the kingdom of heaven:

The Spirit of the Lord is on me,
because he has anointed me
to preach good news to the poor.
He has sent me to proclaim freedom for the prisoners
and recovery of sight for the blind,
to release the oppressed,
to proclaim the year of the Lord's favor.

(Luke 4:18–19)

And then, almost in passing, the Bible notes the most astonishing part of this incident in Christ's life: "*All spoke well of him* and were amazed at the gracious words that came from his lips" (Luke 4:22, emphasis added). What a difference two thousand years make! Instead of dismissing Jesus as a political dreamer or condemning him as a dangerous radical, the people of Galilee *praised* him for wanting to help the needy, the incarcerated, the physically handicapped, and the disenfranchised.

Why do American Christians today look askance at the same four policy initiatives that the Palestinian Jews of Christ's era applauded? When I raise this question, I am often told that it is premised on a misinterpretation of scripture: Jesus' speech in that synagogue was

not meant to address the *social* problems of poverty, penal reform, health care, and discrimination at all. He was concerned with the poor *in spirit*, the prisoners *of sin*, the *spiritually* blind, and those oppressed *by demons* — so I am told.

But my Bible makes clear that this spiritualized interpretation of our Messiah's mission cannot be the whole truth:

- ♦ Christ fed the hungry crowds literal bread and fish (Matthew 15:32);
- ♦ He saved a real death row convict from execution by stoning (John 8:1–11);
- ♦ Jesus restored literal eyesight to blind Bartimaeus (Matthew 10:46–49);
- ♦ He spoke at great length with a real Samaritan woman, whose gender and second-class national heritage made her doubly oppressed (John 4:1–16).

Of course our Lord released all four of these men and women from the bonds of sin and guilt. But since Christ is God incarnate, the invisible Spirit taking on human flesh, the liberation he brings must also go beyond the spiritual to the physical. So it truly is puzzling that we close our eyes precisely to those marginalized people whom Jesus freed from hunger, capital punishment, chronic illness, and the stigma of social exclusion.

Many Christian churches do, of course, take up our Lord's challenge and operate soup kitchens, offer hospice care to indigent AIDS patients, and work with Salvadorean refugees. Even in such socially active faith communities, however, prisoners are frequently neglected in favor of more obviously deserving recipients of charity. Yet Jesus ranked prisoners *second* in his campaign platform, *ahead* of the blind and the oppressed.

This peculiar blindness toward penal issues extends beyond religious circles to the general population of America. As I write these lines during Lent of 2004, this country cages a greater percentage of its own citizenry than any other nation on earth. More than China, more than North Korea, more than Iran — more than anyone! Nearly one-quarter of all prison inmates on the entire planet

are housed in U.S. jails and penitentiaries, even though less than 5 percent of the world's population is American.¹ Yet no one in this country thinks this worthy of comment.

Not even liberals seem concerned that the U.S. incarceration rate *septupled* between 1973 and 2003, from just under 100 inmates per 100,000 civilians to just over 715 per 100,000.² While progressives protested against apartheid in the 1980s and 1990s, when South Africa locked up 851 black men out of 100,000, they quietly accept that their own government imprisons 4,834 African American males out of 100,000.³ But gay marriage rights and the near-extinction of the three-toed Alaskan ringworm — *those* are declared to be national priorities by the left.

Nor are U.S. conservatives any less blind in this regard. Always quick to debunk Democratic boondoggles, the Republicans stayed silent as Departments of Correction became the largest and most expensive government agencies in many states, costing this nation a total of \$57 billion per year.⁴ Even more surprising is that the right failed to note how ineffective all those expensive new jails and penitentiaries were in terms of public safety: the domestic crime rate in 2003 was *exactly the same* as in 1973.⁵ The same results, at seven times the price — and not a single howl of conservative protest!

What the United States cannot or will not see, other countries certainly can and do: “The American incarceration rate is . . . the highest in the world, but it has not made the United States a safer place to live,” the Correctional Service of Canada noted recently.⁶ Our northern neighbor locks up only 116 felons per 100,000 compared to our 715, yet its crime victimization rate is virtually identical to America's.⁷

In fact, *all* industrialized nations, *including* the United States, have nearly the same crime victimization rates, ranging in a narrow band between 21 and 24 percent of the total population.⁸ But those other “first world” countries manage to achieve this level of public safety with incarceration rates of just 50 to 125 per 100,000 — with some, like Germany (at 96 per 100,000), actively seeking to *lower* their rates.⁹ That is why, “among mainstream politicians and commentators in Western Europe, . . . the criminal justice system of the United States is an inexplicable deformity [that] arouses incredulity

and incomprehension,” according to Baroness Vivian Stern, an internationally recognized penologist and member of England’s House of Lords.¹⁰

So I ask again: why do neither American Christians nor secularists see prisons and prisoners as urgent problems, while both the Galilean Jews of Jesus’ age and other industrialized nations today do?

Perhaps the answer lies in history and national identity. Both the residents of the Roman province of Palestine and the citizens of Western European countries had and have direct, recent experience of being conquered by foreign armies and thus becoming prisoners in their own lands. In Europe, only England was never militarily occupied in the twentieth century — and, not surprisingly, that nation has Europe’s highest incarceration rate, at 125 per 100,000. (Spain, too, was never invaded, but experienced an especially brutal civil war from 1936 to 1939; most Irishmen saw the English as occupiers until the declaration of the Irish Free State in 1922; and while Switzerland and Sweden were never physically occupied by the German *Wehrmacht*, they lost virtually all independence during World War II.)

In the case of the Jews who praised Christ’s inaugural speech, with its promise of “freedom for the prisoners,” their whole identity as a people was founded on their two past captivities in Egypt and Babylon and, of course, their current subjection to Roman rule. Not only that, but some of Israel’s founders and national heroes were actual prison inmates:

- ◆ Joseph the Israelite, who later saved the lives of his entire family, was thrown “into the jail where the royal prisoners were confined” after Potiphar’s wife accused him of rape (Genesis 39:40);
- ◆ Israel’s great early champion and defender Samson “was put to grinding in the prison” of the Philistines after his betrayal by Delilah (Judges 16:21);
- ◆ Jeremiah, the last of the major prophets, was thrown “into the cistern of Prince Malchiah, which was in the quarter of the guards” and served as Jerusalem’s jail (Jeremiah 38:6).

As Jesus and his later audience in that synagogue were growing up, they undoubtedly played at being Samson, breaking out of jail, and smiting even more Philistines hip and thigh with the jawbone of an ass! An astonishing thought for Americans, perhaps, since neither George Washington nor Thomas Jefferson did time behind bars — but those *jailbirds* were *role-models* for Christ and his contemporaries. And that personal identification with the plight of convicts may explain why the Jews of two thousand years ago, unlike modern-day Christians in this country, accepted the liberation of prisoners as a sensible, even laudable proposal by an up-and-coming leader like Jesus the carpenter's son.

This Jewish sympathy for convicts and outlaws extended to the first generation of Christians, as scripture tells us clearly even if we lack ears to hear. Of course we all remember what Paul wrote the church at Corinth:

Not many of you were wise by human standards; not many were influential; not many were of noble birth. But God chose the foolish things of the world to shame the wise; . . . he chose the lowly things of this world and the despised things — and the things that are not — to nullify the things that are, so that no one may boast before him. (1 Corinthians 1:26–29)

Most of us even realize that “the lowly things of the world” must have included a great number of slaves, since Paul and Peter repeatedly included special sections with advice just for them in their epistles: 1 Corinthians 7:21–24; Ephesians 6:5–9; 1 Timothy 6:1–2; 1 Peter 2:18–25. Slaves were a kind of prisoner too, of course, but in fact the earliest Christian communities included a number of actual felons — and how many of us noticed *that*, given our blindness to prisoners?

No, I do not mean the apostles themselves, though virtually all of them were executed as common criminals by the Roman authorities. Here I mean the rank-and-file believers who filled the pews on Sundays, according to Paul:

Neither the sexually immoral nor idolaters nor adulterers nor male prostitutes nor homosexual offenders nor *thieves* nor the

greedy nor drunkards nor slanderers nor *swindlers* will inherit the kingdom of God. *And that is what some of you were.* (1 Corinthians 6:9–11, emphasis added)

In fact, some of those “thieves” and “swindlers” had not yet given up their illegal handiwork entirely, as Paul implies elsewhere: “He who has been stealing must steal no longer, but must work” (Ephesians 4:28). And in the only personal letter of Paul’s to be included in the New Testament, he offers to repay Philemon anything that his escaped slave Onesimus had stolen from him: “If he has done you any wrong or owed you anything, charge it to me. I, Paul, am writing this with my own hand — I will pay it back” (Philemon, vv. 18–19).

When Paul wrote his letter to Philemon during his pretrial confinement in Rome, he had already done time in many jails across the Near East, often “praying and singing hymns to God [for] the other prisoners” (Acts 16:25). So he had first-hand experience of what Joseph and Samson and Jeremiah had suffered, and he must have had strong personal feelings about Jesus’ call for “freedom for the prisoners” so many decades earlier. In our age and in this country, we have lost touch with this theme of our faith — and that is much to be regretted.

Of course those 2.2 million men, women, and juveniles currently incarcerated in the United States regret our neglect of prisons and prisoners.¹¹ But those of us not serving time behind bars, as Paul and Peter and John did, have lost something as well: a sense of what “that old-time religion” really meant in those days when our faith was young and fresh and growing. What a thrill it must have been for the apostles to seek out “the foolish . . . , the lowly . . . , the despised,” and to recognize Christ’s image in *their* faces — even if those faces belonged to convicts! If American Christians could recapture just a little of that spirit today, their own lives might be filled with the same kind of power and excitement that Paul experienced as he prayed and sang with his fellow jailbirds.

And if “freedom for the prisoners” were not just proclaimed but promulgated today, this nation’s shamefully high incarceration rate could perhaps be lowered to the same level as that of other civilized

countries. Then America could one day call itself “the land of the free” again — maybe.

Questions for Reflection and Discussion

1. Try to imagine how America might see its history differently, and perhaps would have become a different sort of country, if the British Army had captured George Washington and Thomas Jefferson early on in the Revolutionary War, put them in prison for several years, and released them only after the colonies won independence.
2. How did the fact that President Nelson Mandela spent twenty-seven years in prison shape the first few years of South Africa’s history after the ending of apartheid?
3. Were you surprised by some of the statistics about America’s modern-day love affair with prisons, cited in this chapter? Why do you think you have not heard until now that septupling the U.S. incarceration rate has not lowered the crime rate at all? *Cui bono?*
4. As someone who pays taxes and thus financially supports this country’s enormous correctional departments, do you think you bear any personal responsibility for this state of affairs? If yes, how urgent do you consider this problem — if you consider it a problem at all? Will this issue affect your vote in the next election?

T W O

The Gerasene Demonic

Mental Illness behind Bars



IN CHAPTER 1 we noted that Jesus Christ, as God incarnate, could not offer us freedom from our spiritual afflictions only, but also had to address this-worldly problems like physical hunger, literal incarceration, real chronic illness, and actual social exclusion. Our specific area of interest in this book is prisoners, of course, and a quick search of the Gospels soon provides us with an example of Christ freeing a bona fide jailbird from the hoosegow. The episode occurs fairly early in Jesus' travels as a preacher, when he goes to the Gerasene territory and heals the demoniac.

"Though he was chained hand and foot and kept under guard," this dangerous criminal "had broken his chains and [now] lived in the tombs outside town," in lieu of prison (Luke 8:29, 27). Not only was he "so violent that no one could pass that way," but he also "had not worn clothes" in quite a while (Matthew 8:28; Luke 8:27). "Night and day among the tombs and in the hills he would cry out and cut himself with stones," the Bible tells us, so he must have been bloody as well as naked and unkempt (Mark 5:5). A frightening and no doubt disgusting sight.

Yet Christ healed him, "dressed" him in whatever extra clothes the disciples had brought with them, and even gave him a job: "to tell in the Decapolis how much Jesus had done for him" (Luke 8:35; Mark 5:20). An amazing thought: the first apostle to the gentiles

was not St. Paul, after all, but this nameless ex-convict from the region of the Gerasenes.

That is all very touching and inspiring, of course, but hardly relevant to our own age. Nowadays, people like the Gerasene demoniac are housed in secure mental hospitals for the criminally insane, where they are given psychotropic medication and therapy to help them, yet are confined to keep the rest of us safe. So we do not need Christ's assistance anymore, at least not with the likes of the Gerasene demoniac — right?

Wrong.

Of America's 2.2 million prison inmates, at least 20 percent — over 400,000 — are *officially certified* as mentally ill by correctional medical departments.¹ And those are only the ones we know about: the true number is actually much higher, since 40 percent of jails and 17 percent of state penitentiaries do not even bother to evaluate the psychiatric status of their prisoners.² By contrast, only 80,000 patients are still housed in secure mental wards today,³ thanks to the massive closures of forensic psychiatric hospitals around the country in the 1970s and 1980s.

Thus “prisons have really become, in many ways, the de facto mental hospitals,” according to former correctional psychologist Thomas Fagan, Ph.D.⁴ But prisons, unlike hospitals, do not provide psychiatric services to their inmate patients: Iowa's correctional department, for instance, has only three psychiatrists for more than eight thousand prisoners, while Wyoming's state penitentiary has a single psychiatrist on duty — for two days each month.⁵ As a result of this lack of treatment, mentally ill inmates frequently stay in their prison's punishment blocks for years on end, according to a recent study of New York's Department of Correctional Services. Fully 25 percent of the inmates in that state's punitive segregation units are diagnosed as mentally ill, and half of those surveyed attempt to commit suicide while confined there.⁶

So what do the Gerasene demoniacs of our own age look like?

They look like Oliver T., for example. In 1979, Oliver was convicted of armed robbery and aggravated assault and sentenced to more than sixty years behind bars. Sometime in the 1980s, he began

to call himself Olivia instead of Oliver — a not-uncommon phenomenon among inmates who are forced into sexual servitude by older, stronger prisoners. I met him in 2004, in his twenty-third and my eighteenth year of incarceration.

By this time, Oliver had taken to carrying a little purse on his wrist as he pranced around the penitentiary. No one objected, until one of the guards told him he could not take it into the kitchen, where he worked. Feeling insulted and challenged in his femininity, Oliver/Olivia became disruptive and had to be frogmarched to the punishment block to cool his high heels for a while.

Oh, yes, all very funny — a bit disgusting, of course, but not without humor. There goes that crazy Olivia again, the girl's gone wild! How the rest of us convicts laughed. . . .

That night in the punishment block, Oliver cut open his scrotum with an old razor blade in an attempt to castrate himself. Then, according to a staff member I trust, he wrote in blood on the wall, "I am a woman."

"Night and day among the tombs and in the hills he would cry out and cut himself with stones" (Mark 5:5).

After returning from the hospital, where the doctors reattached what they could, Oliver was placed in the prison's infirmary, and I was called to his bedside. I was the facility's "inmate advisor": when convicts are "written up" for breaking a rule, "inmate advisors" assist them in their defense at the subsequent disciplinary hearing. Oliver had received a "charge" for violating "Category II Offense Code 234 — Self-mutilation or Other Intentionally Inflicted Self-injury," and I had to be present during the service of the disciplinary offense report to ensure that his due process rights were not violated.

Because I was trusted — relatively speaking — by the guards here, they usually let me serve the paperwork myself. I entered the infirmary room and found Oliver lying on his side on a bed, with a guard sitting directly across from him to prevent him from injuring himself again. Standing next to the bed, I read out the gruesome disciplinary offense report without getting any reaction from Oliver at all; he appeared to be dozing.

Then I began to read the questions at the bottom of the offense report — do you want witnesses at your hearing? do you wish to

attend the hearing? that sort of thing — the first one of which is, “Yes/No — Request inmate or staff advisor.” Again Oliver gave no response, no sign he even heard me. Proper procedure at this stage is to read the question three times and then write in the space provided, “Refused to respond.” After doing so now, I added a question not printed on the form, one I do not usually ask while serving a charge: “Oliver, do you want my help?”

Oliver raised his head, looked directly into my eyes, and said, “Yes.”

That “yes” is the reason I am telling you his story. I was not able to help Oliver in any other way, so this is all I can do for him. I cannot say “no” to his “yes”; I will not.

Oliver refused to respond to any other questions. Later that day, he was moved back to the punishment block and strapped down in a special cell equipped for that purpose, using what is called “five-point restraint.” There are over four hundred thousand Gerasene demoniacs behind bars, remember, so by now suitable accommodations have been prepared for them in every prison.

The state in which Oliver and I are serving time has a small psychiatric prison for completely uncontrollable inmates — a natural next stop for him, one would have thought. But for some reason that facility refused to accept Oliver, and so he was sent to another prison with a special housing unit for mentally ill convicts. Unfortunately, that type of unit does not provide much in the way of therapy beyond a daily dose of strong sedative pills. And after residents have been “stabilized” there, they are moved back into normal housing units with regular convicts.

And the cycle of being abused, and acting out, and getting strapped down begins all over again.

There is no happy end to this story, unfortunately. In fact, we have a new self-mutilator in this prison’s punishment block right now: an eighteen-year-old kid nicknamed “Cut Me Up,” who, at stressful times, begins to imagine there is cancer beneath his skin that he must cut out himself, because no one else cares. Well, he is right about one thing: no one else cares.

Certainly the guards do not care what happens to “Cut Me Up” when they put him in a cell with an “old head,” a long-term prisoner

like me. To many a convict who has not seen a woman in twenty or thirty years, a fresh young thing like “Cut Me Up” is a dream come true, nearly as good as making parole. What happens next is stressful enough to make anyone think about cutting up his arms and chest.

During a hearing before the U.S. Congress on the Prison Rape Reduction Act in July 2002 a former state attorney general testified that “anywhere from 250,000 to 600,000” inmates were forced to have sex against their will each year.⁷ The result is an HIV infection rate of at least 8.5 percent in New York state’s correctional system, which tests its prison population more rigorously than others. By comparison, the estimated infection rate for the civilian U.S. population is 0.3 percent.⁸

So, twenty-four years from now, when “Cut Me Up” is roughly the same age that Oliver/Olivia is now, we can expect him to leave some red writing of his own on the wall of some punishment block somewhere. His message, like Oliver/Olivia’s, is not hard to read; it is, in fact, the same as that left on King Belshazzar’s palace wall in Daniel’s days: “*Mene, Tekel and Peres. . . . You have been weighed on the scales and found wanting*” (Daniel 5:25, 27). To which the prophet added elsewhere: “Therefore, O King, take my advice: atone for your sins by good deeds, and for your misdeeds by kindness to the poor” (Daniel 4:24).

If those instructions are not clear enough for our times and our criminal justice context here, King Solomon gives us a tutorial in what we are supposed to do with Oliver/Olivia and “Cut Me Up”:

Rescue those being dragged away to death,
and from those tottering to execution, withdraw not.
If I say, “I know not this man!”
does not he who tests hearts perceive it?
He who guards your life knows it,
And he will repay each one according to his deeds.
(Proverbs 24:11–12)

“Remember those in prison as if you were their fellow prisoners, and those who are mistreated as if you yourselves were suffering,”

the author of the letter to the Hebrews wrote hundreds of years later, but in the same spirit (Hebrews 13:3). The times may change, but the message on the wall does not.

No doubt it was precisely in *this* spirit that Jesus got into his boat and took that long trip to the home of the demoniac. Christ did not care what crimes this man had or had not committed, nor did he wait to begin his prison ministry until he had nothing better to do. And he did not turn back even when a squall blew up en route and threatened his boat. Jesus cared.

Of course he knew whom he would meet as soon as he reached the other side of the lake: Oliver/Olivia and “Cut Me Up.” Lunatics and criminals, “chained hand and foot” in five-point restraints, “being dragged away to death” in a punishment block (Luke 8:29; Proverbs 24:11). In Christ’s eyes, they were worth the time, trouble, and danger. Are they worth it in yours?

If your answer is yes, and if you *act* on that answer, then perhaps this story has the beginnings of a happy end after all.

Questions for Reflection and Discussion

1. As Jesus crossed Lake Galilee to visit the Gerasene demoniac, a storm blew up that threatened to sink his boat (Luke 8:22–24). Do you expect to face similar difficulties — the sudden emergence of personal problems, the disapproval of friends — if you begin to engage in prison ministry or penal reform activities? What can you do to prepare yourself for such opposition?
2. As a matter of social policy and law, do you think that it really matters where mentally ill men and women are housed — in large psychiatric hospitals as before, or in prisons as today?
3. Did you know that, according to the congressional testimony cited in this chapter and U.S. Department of Justice statistics, there are actually more *men* raped in America every year (250,000 to 600,000) than *women* (89,000 to 141,000)?⁹ Why do you think you have not heard of this until now?

4. Both the Gerasene demoniac and Oliver/Olivia are obviously offensive, even repulsive in any number of ways. How would you feel if you were to meet, say, a schizophrenic who has committed a serious assault and now smears himself with feces in a prison's punishment block? Would you be scared? Disgusted? Overwhelmed?