

Reclaiming Responsibility: Theological Resources for Criminal Justice Reform¹

Thomas Mason Grist
Washington and Lee University Class of 2018

ABSTRACT

The United States incarcerates more individuals than any other country in the world. The anthropological viewpoint that allows these injustices to persist sees incarcerated individuals as existentially different than individuals who are not incarcerated. This paper contends that the theological anthropologies of Reinhold Niebuhr, Dietrich Bonhoeffer, and Martin Luther King, Jr. will expose the injustices of excessive imprisonment, stigmatization, and disenfranchisement of persons who live under the modern system of mass incarceration. Specifically, I will show that Niebuhr's understanding of the inevitability of sin opposes the modern belief that criminals have a different existential standing from other humans. Niebuhr's belief in social sin will also call into question the justice of our current penal system. Bonhoeffer's Christological framework, through which he understands Christ to be "the man for others," will underscore responsibility for others. King's belief in forgiveness and reconciliation provides a corrective for the excessive sentencing and, in many states, disenfranchisement of individuals with a felony record. Though this paper will not offer concrete policy solutions, it will conclude by emphasizing the responsibility that all people have for advocacy on behalf of those under carceral control.

¹ This project grew out of an exploration I did for my Poverty Studies research capstone in the Winter of my junior year. Though the argument changed a lot theologically, the basic underlying call to reform our criminal justice system remains and will continue to compel me to think and write. The paper owes its existence to a lot of people. First and foremost, to Professors Alex Brown and Howard Pickett for their provocative insight and support at every stage of the project. I certainly would not have made it through the writing of this paper without them. I would also like to thank my fellow Religion majors from the class of 2018 and Professor Kosky for critique and input during the early stages of this project, and for their support, laughter, and friendship the whole way. Professor Harlan Beckley's theological edits were indispensable as the project neared its conclusion. I am grateful to all of these individuals for helping me work through a challenging, yet transformative, project in Christian Ethics.

TABLE OF CONTENTS

Introduction.....	2
Niebuhr’s Anxious Individual:.....	8
The Inevitability of Sin	
Anxiety as the Inevitable Core of Theological.....	9
Anthropology	
The Criminal Justice System as a Sinful.....	15
Structure	
Bonhoeffer’s Christological Basis for Responsible.....	23
Action: Acting Responsibly Requires Becoming Guilty	
Bonhoeffer as a Public Activist: Acting.....	24
Responsibly in Response to Church Failure	
Acting Responsibly: Christological Foundation.....	29
for Becoming Guilty	
King, Complicity, and Incarceration: Moving.....	39
Toward Reconciliation	
Social Sin and Responsibility in The.....	41
Theology of Martin Luther King, Jr.	
Forgiveness and Reconciliation:.....	45
Toward King’s Beloved Community	
Conclusion: Where Do We Go From Here?.....	50

“That misery, suffering, poverty, loneliness, helplessness, and guilt mean something quite different in the eyes of God from what they mean in the judgment of man... these are things that a prisoner can understand better than other people.”

– Dietrich Bonhoeffer, *Letters and Papers from Prison*, 17 December 1943.

Introduction

Almost 7 million people in the United States are under some form of correctional supervision today. Of those, more than 2 million sit behind the bars of a prison or jail cell.¹ The United States spends over \$80 billion per year on the correction system², and an indeterminate amount of revenue is lost because of employment barriers for people on probation and parole. These numbers, though shockingly large in scale, obfuscate the psychological and emotional impact that even one person’s incarceration has not only on them but on their families, too. The modern United States criminal justice system exhibits an understanding of the human person that allows it to incarcerate so many of its citizens. It ceases to see the individuals under carceral control as human beings, and instead places labels on them like “drug dealer” or “junkie.” In essence, the human beings within the criminal justice system are defined solely by the action that placed them under carceral control.

Unfortunately, race plays a determinate role in whether an individual is incarcerated, with African Americans incarcerated at more than 5 times the rate of white Americans.³ With many individuals being arrested for drug use, it might come as a shock to know that while African Americans and white Americans “use drugs at similar rates, the imprisonment rate of African Americans for drug charges is almost 6 times that of whites.”⁴ How did this come to be? The “war on drugs” began at the height of the Civil Rights movement. In that time, a “racial-centered ethic” created a group mentality among

the white individuals in power that allowed them to pay no mind to what happened to those people who were not part of “the group.”⁵ Indeed, the government became controlled by a group mentality that led, among other things, to contempt for African Americans⁶, and it sought ways to repress the advancement of their civil liberties. This contempt for African Americans as “other” is rooted in slavery. As Martin Luther King, Jr. once said, “a nation that will keep people in slavery for 244 years will ‘thingify’ them.”⁷ “Thingification,” then, is the foundation for the anthropology of the criminal justice system.

The anthropology of Christian theology, on the other hand, has as one of its primary doctrines the understanding that humans are made in the “image of God.”⁸ This theologically-constructed understanding of the human person stands in stark contrast to the understanding implicit in the United States criminal justice system. Theological anthropology, the definition of human beings grounded in a theologically-constructed understanding of the world, was the focus of three politically-active theologians in the 20th century. Reinhold Niebuhr, Dietrich Bonhoeffer, and Martin Luther King, Jr. all discussed the nature of the human condition and its relation to society in scholarly work, sermons, and public advocacy. Their respective conceptions of the human person, though varied, stand in stark contrast to the conception of the human person I have claimed exists in the criminal justice system today.

Each of the theologians discussed in this paper was both engaged in both intellectual discourse and political activism. The idea of political theology is conceived in different ways by different thinkers. The best definition I have found defines political theology as theological discourse that enters public dialogue to serve as a corrective to

injustices in modern policy practices.⁹ Political theology is distinct in its attempt to link discourse about God to the organization of political and economic structures. All three of the theologians examined in this paper were politically active, and all three attempted to establish theologies which they employed in their lives as political figures. Niebuhr, along with serving as an aide to many public officials, was heralded as one of the leading public intellectuals of his time; Bonhoeffer was a founding member of the anti-Nazi Confessing Church and eventually became a member of the German Military Intelligence service, *Abwehr* and the plot to kill Hitler; King, meanwhile, focused the Civil Rights movement around the ideology of nonviolent resistance, resulting in passage of landmark legislation advancing the rights of African Americans in the United States. Each of these theologians would, I contend, condemn the system of mass incarceration that operates in the United States today. The disregard for human dignity displayed in the system stands in stark contrast to each theologian's understanding of the human person.

It is my contention that to combat the growing problem of mass incarceration in the United States, we need to reclaim and reexamine the theological anthropologies of Niebuhr, Bonhoeffer, and King. Their respective viewpoints on the human condition provide not only theological and philosophical themes for reflection but foundations for pragmatic strategies, based on Christian theological understandings of human nature, well-suited to combat the humanitarian crisis embodied by the criminal justice system today. Ultimately, these theologically-grounded definitions of the human person will reveal that the modern treatment of human beings in the criminal justice system is unethical and requires policy change in defining, prosecuting, and punishing crime. Each theologian will also point to the possibilities for the redemption of persons in society.

This paper attempts to demonstrate the efficacy of theological anthropology by shedding light on the insight it can provide to a wide audience. These three theologians exemplify the ability for developed, intellectual Christian thinking to change public discourse about policy. The success of these individuals in the public sphere to influence societal norms and challenge oppression. Their success stems largely from their understanding of the human condition based on their respective evolving Christian theologies. At its boldest, this paper makes claims for criminal justice reform based on a theologically-informed understanding of the human person that contrasts the way individuals are defined by the modern criminal justice system. Therefore, acceptance of some basic Christian theological premises may be necessary if the reader is to accept the logic of the argument. Even if one does not find the Christian theological perspective compelling, however, I hope to provide a different way of thinking about the human person that contrasts the anthropology of the modern system of mass incarceration. My hope is that even if I cannot convince readers who do not subscribe to Christianity that criminal justice policies must change, the argument will elucidate why criminal justice reform is a necessary step to take for the hundreds of legislators who claim to be Christian.

Each chapter in this paper centers around a theological idea – sin, Christology, and reconciliation – and discusses how these ideas can inform policy change in the criminal justice system. Each of the thinkers in this paper grounded his political theology in his own theologically-constructed understanding of the human condition. Niebuhr's *Moral Man and Immoral Society* and *Nature and Destiny of Man*, Bonhoeffer's *Ethics*, and King's sermons exemplify each thinker's reflections on this theme.¹⁰ Particularly,

each thinker focused on the individual, the communities and “society” which they form and the nature of the relationship between the individual and society. Niebuhr wrote several published pieces which greatly influenced opinions on class struggle in the early to mid-1900’s. Bonhoeffer conspired against the totalitarian regime and Nazi Germany and was ultimately arrested and martyred for his public activism and advocacy against evil. King, a powerful speaker and preacher, fought actively against race discrimination in the late 1900’s. His advocacy on behalf of oppressed African Americans in the Jim Crow south inspired liberating legislation from the federal government. He, too, was martyred for his activism and non-violent philosophy of change.

The first chapter of this thesis will examine Reinhold Niebuhr’s description of the inevitability of sin, both in individual persons and in human relationships. Specifically, I will argue that Niebuhr’s belief in the anxiety that constitutes the existential core of all human beings should lead individuals to recognize the universal fallenness of humanity. I will then argue that this recognition of universal sin corrects the notion that people who are in jail or prison occupy a radically different existential status because of their criminal convictions. Seeing individuals in the criminal justice system as fellow human beings, rather than as “felons” or “convicts,” one starts to see the ways in which the incarcerated individual is oppressed by mass incarceration in a new light.

The second half of the chapter will focus on Niebuhr’s understanding of the social nature of sin found in human communities and the state. I will argue that the state’s culpability in maintaining current power structures makes it inherently sinful. The modern structures of the criminal justice system are defined, I will say, by contempt for the other. The chapter will conclude by saying that if neither individuals nor society can

escape the inevitability of sin¹¹, the individual will recognize that they share in fallenness with those in the criminal justice system and develop a sympathy for the incarceration and disenfranchisement of their fellow humans.

In the second chapter, I will turn to Bonhoeffer to argue that from his Christology we can recover a way of acting responsibly that requires us to advocate on behalf of incarcerated individuals. In the first section, I will note that, like Niebuhr, Bonhoeffer's theology could not be separated from political commentary and action. I will discuss how Bonhoeffer's own activism in the resistance against Hitler later in life would solidify his legacy as an activist pastor. Executed in 1945, Bonhoeffer exhibited "bearing the burdens"¹² of oppressed, incarcerated Jews that he writes about time and time again. Bonhoeffer's activism is representative of the kind of life that he believed all Christians and their communities should lead, and I will argue that individuals today have a similar responsibility to take on the guilt of others. In the second section, I will analyze Bonhoeffer's notion of *Stellvertretung*, or, vicarious representative action, as the model of Christ for human action. Bonhoeffer argues that the guiltless Christ took on the guilt of humanity, and the response of the individual must be to imitate that action by becoming guilty for the other person.

In the final chapter, I will turn to the theology of Martin Luther King, Jr., to evaluate the sinful structure of Jim Crow laws and assess the possibilities for reconciliation within those sinful structures. Turning to King allows me to do two things. First, it allows me to discuss the impact theologically-informed activism can have on public policy change. Acknowledging that any discussion of the American carceral system cannot be had without a discussion of race, I will also look at the ways King's

focus on reconciliation and forgiveness influenced his activism in the fight against Jim Crow. The second half of the chapter will turn to a discussion of whether the state has the capability to forgive. I will begin this section by arguing that the way to live responsibly for incarcerated members of society is through public advocacy on their behalf. I will then discuss whether or not the state has the capacity to forgive incarcerated individuals, and reflect on the implications for reconciliation if we find that it does. My hope is that this paper will offer the reader a chance for reflection on the criminal justice system through the lens of major Protestant doctrines. This paper offers a new perspective that I hope individuals will appreciate as they consider their own implicit participation in the social sin of mass incarceration in the criminal justice system.

Niebuhr's Anxious Individual: The Inevitability of Sin

The foundation of Reinhold Niebuhr's theological anthropology is an assertion that anxiety lies at the core of the human personality and is the precondition for sin. In the first section of this chapter, I will explore Niebuhr's assertion and explain how the universal anxiety of humans leads him to the conclusion that personal sin is inevitable. An anthropology which sees all humans as universally sinful, I assert, stands in contrast with the anthropology of the criminal justice system, which sees the incarcerated individual as existentially "other than" the rest of humanity. Accepting a theological anthropology may lead the individual who is not incarcerated to eliminate the barrier they place between themselves and the incarcerated individual. I will argue that eliminating this barrier opens the possibility for a new sympathy for incarcerated individuals.

Acknowledging that all individuals are sinful, I will turn in the second section of this chapter to a discussion of the inevitability of sin in social structures. I will examine

Niebuhr's claim that not only is sin inevitable in individuals, it infiltrates the relationships they form with each other and the structures those relationships form. I will look at the origins of the structural sin exhibited by the criminal justice system and turn to several modern examples of criminal justice practices and laws that seem to exhibit social sin. I will suggest three stages in the criminal justice process in which structural sin is most apparent – policing, sentencing, and non-legal repercussions. I will expand on Niebuhr's assertion that governments perpetuate social sin on a level that cannot be achieved by simple collections of individuals, claiming that states are defined by a contempt for those who are not part of the majority in power. I will end the chapter by discussing Niebuhr's understanding of our responsibility for our own, personal sin and open a dialogue for ways that individuals might translate that responsibility to social sin.

Anxiety as the Inevitable Core of Theological Anthropology

Niebuhr says anxiety occupies the center of the human personality because there are two existential conditions by which one understands human beings: “man is a child of nature... (and) man is a spirit who stands outside nature.”¹³ He opens the second volume with a similar paradoxical tension when he says that “man is, and yet is not, involved in the flux of nature and time.”¹⁴ This existence in nature—the fact that the individual lives, eats, sleeps, and dies along with all other sentient beings—indicates that they are just as much part of creation as other creatures are. However, the freedom of the human spirit “is obviously something different from the necessary causal links of nature.”¹⁵ The free spirit of humans recognizes that it stands outside the natural world, yet it cannot conceive of itself as a God, so the human spirit finds itself in a place of “essential homelessness.”¹⁶ Individuals, insofar as they are part body and part spirit, occupy a space between God and

other creatures, and this space is one that all humans share, regardless of their gender, race, or social class.¹⁷ The existential question for humans asks where they stand in relation to the rest of creation knowing that they are both part of, and above, the other creatures with whom they interact.

The individual's knowledge is limited by their participation in time and space; they cannot observe the human condition from an objective standpoint, and thus cannot truly achieve the transcendence that Niebuhr says is reserved for God. When the individual recognizes that their knowledge, freed by their transcendent spirit, is at the same time limited by their grounding in creation, they face the potential of meaninglessness existence. In recognizing one's finitude, the individual realizes that they are "unable to define the total human situation" and the relativity of their knowledge terrifies them and tempts them to sin.¹⁸ This existential anxiety is therefore placed "at the very center of human personality..."¹⁹ Here is the defining characteristic of the human being for Niebuhr's theological anthropology: humans are anxious because they must confront the fact that they are both in nature and above it, and that their being in nature prevents them from completely transcending nature. Though the individual may try to pretend their power or intellect are more significant than it actually is, there is always, at the base of one's person, a fear that their life may be meaningless, that all their achievements may be for naught.

Anxiety being the inevitable result of the contradiction in human finiteness and freedom, Niebuhr asserts that it is a universal aspect of the human personality. The inevitable, although not necessary, result of this universal anxiety is sin. Since sin is occasioned by anxiety, Niebuhr says, it is also an inevitable aspect of the human

personality. Individuals cannot help but desire to want to exceed the bounds set on them by their finitude, and yet the possibility exists that they might not attempt to transgress the limits set on them. Anxiety, Niebuhr says, is also the basis of all human creativity. Humans cannot, unfortunately, separate the creative aspect of anxiety from the evil, destructive parts, and thus they are left with the dilemma that they may, “in the same moment, be anxious because [they have] not become what he ought to be; and also anxious lest [they] cease to be at all.”²⁰

The individual, in recognizing their finitude, is subsequently tempted to exceed the natural limits placed on them by God. Niebuhr believes that all humans face the same temptation to sin because it is predicated on existential anxiety. Anxiety leads to the two sins to which Niebuhr says all individuals fall in their personal lives: pride and sensuality. In facing the tension between one’s finitude and self-transcendence, the individual can attempt to forget their existential homelessness. Sensuality, conceived by Niebuhr, is the succumbing of the individual to some “natural vitality”²¹ whereby the individual loses oneself. In sensuality, the individual escapes from the overwhelming reality of their free spirit by “becoming lost in the detailed processes, activities, and interests of existence.”²² On the other side of sin, Niebuhr says, is the pride of individuals to try to exceed the natural limits set on them by God. The sin of pride has more dire consequences for our understanding of the criminal justice system because it manifests itself more readily in social structures than sensuality.

One could reasonably believe that humans are simply ignorant of their attempts to exceed the natural bounds set on their knowledge by finitude; humans could simply be ignorant of their own ignorance. But Niebuhr shows us quickly that this is not the case.

He says that human sin does not stop with blindness of one's own ignorance. Once the individual recognizes their blindness, they attempt to obscure their blindness by overestimating the degree of their sight; they obscure their insecurity by stretching their power beyond its limits."²³ One limit on the individual's ability to self-transcend is their inability to recognize bias and discrimination toward other humans. Niebuhr believes this is a spiritual and intellectual blindness, and it is one that clearly manifests in several facets of the criminal justice system. An example of how spiritual blindness manifests itself in the criminal justice system will prove helpful in determining how individual sin can manifest itself in social structures.

The Fourth Amendment to the United States Constitution explicitly forbid the imposition by government agents on individual citizens' lives without reason. In its decision in *Terry v. Ohio*, the Supreme Court seemingly turned a blind eye to the Fourth Amendment by allowing police officers to pull over any individual provided they have "reasonable articulable suspicion" that the individual is engaged in potentially dangerous activity.²⁴ This court case has led to "stop-and-frisk" practices by which police stop anyone they deem "suspicious" and search them for drugs. These discretionary searches, unfortunately, are targeted primarily at minorities. We are reminded of Niebuhr's observation that humans cannot help exercising their power over other humans to protect their own advantage and security. In her landmark book *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, Michelle Alexander notes a 1995 survey in which 95 percent of respondents imagined "typical" drug user was black, while only 5 percent of respondents replied any other race.²⁵ We know that young, black, poor men

are the most likely people to be incarcerated for drug crimes despite similar usage as whites.²⁶

This is a sad and unfortunate result of discriminatory views of the kind of person who is incarcerated, considering only about 15 percent of drug users are black. However, it is worsened when we consider that police carry the same implicit biases as the general public while also maintaining an authority over the freedom of individuals. In a New Jersey study conducted in the 1990s, white and black drivers were stopped for traffic violations along a certain stretch of the New Jersey Turnpike at similar rates when a radar was used; but, when police officers were given discretionary authority over whom they stopped, black drivers were stopped twice as frequently. Of all people pulled over, 77 percent who were subsequently searched by police were minorities. A similar study in Maryland found that while 21 percent of drivers were racial minorities, nearly 80 percent of all stop-and-search operations were conducted on these groups.²⁷ These statistical facts show instances where individual blindness meets structural sin to create a system of persistent oppression of minority people in the United States. While most police officers likely do not have any overt racial biases, the discretionary authority granted them by modern legal structures allow their sense of “otherness” to trigger false interpretations of who might be carrying or distributing drugs.²⁸ And indeed, maybe occasionally they are. Unfortunately, the officers’ bias operates in a larger context of social sin that lies at the very core of our modern criminal justice system.

The modern system of mass incarceration is a perpetuation of a system originally conceived by a privileged group exercising its power by discriminating against a less-privileged class. Founded as a tool of the so-called “Southern Strategy,” by which

Richard Nixon used the dormant notions of racism to appeal to voters in former Confederate states, incarceration of young, African American men evolved into a system that could not be curtailed by any single person. When Richard Nixon set out to suppress the black vote to win an election, he could not have imagined the impact his policies would shape and define the “war” against crime over the next 50 years. By the time Ronald Reagan ran for president in 1980, the idea of black drug dealers and “crack babies” was already taking hold, and campaigns by the media only exacerbated the problem. Niebuhr, too, noted such political oppression in the early 1930s. “Political opinions,” he once said, “are inevitably rooted in economic interests of some type or another.”²⁹ Sinful individuals often perpetuate and exploit sinful structures for their own economic gain.

Just as sin is an inevitable fixture of the human person, social sin pervades the structures built by individuals, and these structures will not come down easily. In the next section, I will expand on Niebuhr’s insight that humans attempt to obscure the blindness of their knowledge by exploiting other individuals in the criminal justice system. I will discuss how personal sin can be seen in structures, and how structures are ultimately the physical embodiment of social sin in the world. By examining the way Niebuhr says the state controls structures for its sinful purposes, I will show that the modern criminal justice system exhibits social sin in three distinct ways: policing, sentencing, and non-legal repercussions.

The Criminal Justice System as a Sinful Structure

Niebuhr certainly believed that social structures were flawed, constantly referring to the evils of social sin. The basic premise of his first work, *Moral Man and Immoral*

Society, is that the sin of individuals pervades the relationships they have with other humans, and these relationships are the foundation of every social structure that exists. Thus, sin pierces through every social structure that individuals make, but in doing so it also takes on another layer of sin that exists apart from the individual sin of any one of its members. When sinful relationships spawn sinful structures, sinful individuals comply with the structures. When taken up into the collective, no single individual is held accountable for the sin of the group, so no solution is sought by anyone. Insofar as the individuals within structures cannot change them single-handedly, social structures are “more arrogant, hypocritical, self-centered, and more ruthless” than the individual.³⁰ The criminal justice system is one such structure.

The objection to claims that the criminal justice system perpetuates poverty and inequality is that incarcerated individuals have violated the laws set in place by the government to protect us. It is true that many people in the criminal justice system today exhibit dangerous tendencies that would be a detriment to mainstream society. Incarceration certainly has its place in society, but Niebuhr says that it is “just as important to place the ruler under the judgment of God as to regard him as an instrument of God for checking individual sin.”³¹ All individuals are sinful, as Christian doctrine asserts, and the structures they are founded on sinful relationships and are even more sinful than the individual. This Christian doctrine of universal sin “is thus a constant challenge to re-examine superficial moral judgments, particularly those which self-righteously give the moral advantage to the one who makes judgment.”³² With this in mind, we must consider that the elected leaders, judges, members of parole boards, and police harbor just as much sin as the individuals within the criminal justice system.

Returning to the objection that our criminal justice system should be commended for its attempt to protect us from criminals, we can view this argument in a new light.

While all humans have sinned and fallen short of the glory of God,³³ the rulers and judges within a system of government, insofar as they oppress the poor and defy the divine majesty, are “particularly subject to divine wrath.”³⁴ At the same time, however, government is the ordinance of God and a reflection of His divine majesty. Niebuhr notes that the Christian attitude toward the government takes two approaches which, when assumed simultaneously and weighed equally, allow us to appreciate the “moral ambiguities” of government.³⁵ Why, though, is the nation the paradigmatic example of group sin? Niebuhr says that “because the state gives the collective impulses of the nation such instruments of power,”³⁶ it has the ability to use its sinful nature to enforce obedience from its citizens. While citizens must give respect to the governments that rule them, they must also question the motives and dictums of its rulers and judges, who most often come from the privileged classes Niebuhr has discussed.

The respect of government as the ultimate power has led to abuse of this power by governments which believe they have no restraint. The privileged classes have always sought to retain their position of privilege by enacting structures—legal, economic, educational—that perpetuate the inability of the lower classes to attain privilege. Recalling once more that governments are made of sinful individuals, we should recognize that “sinful pride and idolatrous pretension” become inevitable in a criminal justice system which has been immersed in sinful pride and idolatry since Nixon.³⁷ When public officials are, as is the case today, deified by the general public, they quickly move from upholding and preserving the nation to a “lust-for-power” that results in a contempt

for “the other.”³⁸ This contempt expressed itself in many ways during Niebuhr’s day: in Nazi contempt for Jews, in the privileged elite’s contempt toward the working class, and in white people’s contempt toward black people. White people in Niebuhr’s time often justified their denial of equal suffrage for black people on the ground of their illiteracy. But, as Niebuhr keenly points out, the white people who were in control of the government also refused to give universal education and thus did not give to black people an equal opportunity to become literate as it gave white people.³⁹

I noted earlier the discretion that our system gives police officers in pulling people over and conducting “stop and frisk” searches. This discretion, I noted, is exercised against young, black men more than any other demographic in our country. Police officers, operating within a system that both gives them discretion in whom they *can* stop and paints a picture for them of whom they *should* stop, stop and frisk African Americans at much higher rates than other demographic groups.⁴⁰ Thus, from the moment one interacts with the criminal justice system, sinful structures are at play that will, depending on the individual’s race and socioeconomic status, either save or devastate their liberty. For individuals found guilty of crimes, the next two steps of the criminal justice process – sentencing and reintegration after release – prove just as discriminatory.

Inequitable sentencing, particularly for drug crimes but also for crime, broadly, has plagued poor and black individuals in the criminal justice system for years. Our drug sentencing laws give a clear picture of the “violence and coercion”⁴¹ by which the privileged classes have preserved their privileges. The Anti-Drug Abuse Act of 1986 created an additional structure that punishes black Americans more harshly than white

Americans. Crack cocaine has historically been associated with black users, while white users typically use powder cocaine; both, however, use their respective cocaine of choice at equal rates, with white people using more frequently, if anything.⁴² Federal laws punish crack cocaine usage one hundred times more severely than powder cocaine usage, and the Supreme Court has upheld rulings that have established a structure which makes challenging this discrepancy as a racially-biased sentencing practice impossible.⁴³

Mandatory minimums stand out as another egregious form of injustice within the criminal justice system and, when coupled with discrepancy in sentencing, compound the discrimination within the structures of our system. When President Bill Clinton announced his “three strikes” policy—which mandated exceedingly high punishments for a third felony offense—he helped further the system of mass incarceration already starting to take shape in the criminal justice system. One victim of the policy, who had stolen video tapes for his children from a Kmart, was sentenced to fifty years in prison without the possibility for parole.⁴⁴ Michelle Alexander contrasts these types of sentences with those in other countries, like the UK, with less harsh sentencing. Most countries, she notes, do not have the practice of requiring a minimum number of years be served by an individual based explicitly on the crime. The inability of the criminal justice system to distinguish incarcerated individuals from the acts which bring them into the system is a societal sin with enormous consequences for individuals from lower socioeconomic status.

Structures in the United States set up sentencing guidelines that unequally punish minorities both through direct and indirect consequences. In 1987, a study found that defendants of any race who killed white people were 4.3 times more likely to receive the

death penalty than defendants charged with killing black victims. Using this study as evidence, the defendant in *McClesky v. Kemp*⁴⁵ sought to show that this level of bias presented a constitutional issue. The Supreme Court ruled that it did not. Only if a prosecutor openly admitted that the death penalty was sought because of a defendant's race could the defendant then claim racial bias. In other words, a prosecutor would have to openly admit to being racist in order for the law to recognize that any bias at all had taken place. Alexander's quote of the majority decision that "discrimination is an inevitable by-product of discretion" makes one stop to consider the damage that discretion has already done to minority individuals who are more than twice as likely to end up in these circumstances in the first place. The New Jersey and Maryland studies have already shown us that humans have a proclivity to bias against "other" people. Such contempt for "the other", who must be oppressed in order to achieve more wealth, power, and authority defines the modern criminal justice system.

The structures of society, created by generations of the privileged classes, have "denied the oppressed classes every opportunity for the cultivation of innate talent" and then accused the oppressed classes for not being able to accomplish those things they have been "denied the right to acquire."⁴⁶ We see this in the criminal justice system, as people ranging from political commentators to the lay citizen observe that the reason for a person's incarceration can be simplified to causes "collapse of the traditional family."⁴⁷ This argument, however, is reminiscent of the argument made by Southern whites during Niebuhr's time. He tells us that many southern white people in America "usually justify their opposition to equal suffrage for (people of color) on the ground of his illiteracy."⁴⁸ But, in a move that exemplifies the hypocrisy of which Niebuhr accuses all nations,

people of color in Niebuhr's time were illiterate precisely because the white, ruling class refused to provide adequate education to them and their children.

In a similar way, today, people who go to prison today find themselves trapped in a catch-22 with what I will call the non-legal repercussions of a conviction as exhibited by disenfranchisement. A felony conviction not only bars people (including parents of dependent children) from welfare, it systematically pushes them to the outskirts of society and offers no feasible option for re-entry. For instance, once convicted of a drug crime, an individual is banned for life from public housing, and even attempting to go near a public housing complex is grounds for readmission to prison. Most states also require people to check the infamous "box" on job applications indicating they have been found guilty of a felony. Additionally, many states deny licensure for many occupations such as being a florist or mechanic if an individual has been found guilty of a felony. In Georgia, for instance, people who have "been arrested, charged, and sentenced for... any felony, or any crime involving moral turpitude" are prohibited from obtaining licenses for over eighty different jobs – including a barber's license, scrap metal processor, and air conditioner contractor, among others.⁴⁹ In Virginia, a Licensing Board has sole discretion over whether or not an individual can receive a license and "may deny licensure or certification to any applicant...for any felony or misdemeanor."⁵⁰ When an individual leaves prison, their "debt" to society supposedly paid, the outlook for a path forward and a change in lifestyle is bleak.

Individuals return to society and are legally prohibited from receiving unemployment benefits, living in a publicly-funded home (or with family members who reside in public housing), and too often discriminated against by companies who utilize

the dreaded “box” to screen job applications. Additionally, in 1996 President Bill Clinton restructured the welfare system to exclude anyone found guilty of a drug crime. Clinton perpetuated the perception that society’s tax dollars should not go to “those” drug users and dealers. As a consequence, TANF, the cash-assistance program established by the federal government, became restrictive to a 5-year lifetime limit and a lifetime ban for anyone convicted of a felony drug offense.⁵¹ As a result, recidivism in our country is astronomically high. Most individuals who leave prison on probation or parole have a myriad of requirements that hold them accountable to “the system.” For every person in prison, there are two more out of prison who are still “under community correctional supervision.”⁵² Overall, the Bureau of Justice Statistics has calculated that more than two-thirds of people released from prison return within three years, mostly for parole violations.⁵³ As Alexander ominously notes, “...about as many people were returned to prison for parole violations in 2000 as were admitted to prison in 1980 for all reasons.”⁵⁴

I have said several times that the modern criminal justice system is defined by contempt for the other, and this is where sin rears its head most viciously: once people enter the criminal justice system, human beings are defined as “other” and are marginalized for the rest of their lives. This type of discrimination against lower class people, who are most likely to be incarcerated, was foreshadowed by Niebuhr who noted that “members of the privileged classes... have in fact obscured the issue of justice” by saying that citizens from lower socioeconomic status “are the victims of sloth rather than of the caprices of an intricate industrial process.”⁵⁵ The inherent belief in modern discourse about the criminal justice system is that incarcerated individuals are assumed to be existentially different than those who are not incarcerated. Whether through excessive

amounts of time separated from society or disenfranchisement and loss of civil liberties upon reintegration, incarcerated individuals cease to be considered human beings by the structure of the criminal justice system.

From the beginning of his writing, Niebuhr believed that “the selfishness of human communities must be regarded as an inevitability.”⁵⁶ Just as individuals cannot view a social problem except from a self-serving standpoint, so too collective individuals, that is to say, communities and the governments which they construe, cannot be created in a way that does not express the opinion of the strong over the weak. Perfect justice on earth is a dangerous, fantastical illusion, a situation which Niebuhr concluded was tragic, yet ultimately inevitable. Niebuhr’s thought has helped us establish a theological account of the human condition. Caught between the tension between a body which is in nature and a mind which transcends it, all humans inevitably fall into sin. This theologically-informed understanding of the human person should eliminate the artificial barrier that the criminal justice system places between incarcerated “bad” people and not incarcerated “good” people.

Once this barrier is eliminated, I contest, a path is opened to sympathy for incarcerated individuals. Incarceration may have its place in our society, as I will discuss later, but the excessive sentences that incarcerated individuals serve, coupled with their stigmatization and disenfranchisement upon release, constitute one of the greatest displays of social sin in the modern world. Niebuhr writes, that even the person who can recognize sin as inevitable cannot help but sin, for they fall prey to the “illusion that such a discovery guarantees sinlessness in subsequent actions.”⁵⁷ The sinlessness of the individual can never be realized, because in believing that one is sinless, one falls back

into the sin of pride immediately. In this paradoxical assertion of sin's inevitability, Niebuhr charges that humans remain responsible for their own sin, and in the next chapter, I will discuss what responsibility individuals have to combat the social sin in the structure of mass incarceration.

Bonhoeffer's Christological Basis for Responsible Action: Acting Responsibly Requires Becoming Guilty

The first section of this chapter will focus on Bonhoeffer's concern that theological discourse in his time had deviated from social responsibility. I will argue that his activism was a lived theology in response to the call to live responsibly for the other. I will focus on the origins for Bonhoeffer's activism before his involvement with the Nazi intelligence organization *Abwehr* that would eventually lead to his involvement in the conspiracy to kill Hitler. I will suggest that Bonhoeffer's interaction with the Abyssinian Baptist Church in Harlem inspired his activism by showing him a community that resembled the *sanctorum communio* he had envisioned in his first book. My discussion of Bonhoeffer's interaction with the African Americans he met in New York will provide an opportunity to discuss the moral imperative he felt the church had to engage with individuals oppressed by Jim Crow laws in his time. A discussion of Bonhoeffer's interaction with Jim Crow will turn the discussion to the final chapter, which will address that specific system of structural sin. His focus on "the Negro problem" will turn the dialogue to the third chapter and the activism of Martin Luther King, Jr. against Jim Crow.

That the individual has a responsibility to live for others is the necessary conclusion to which Dietrich Bonhoeffer's Christological doctrine leads. Responsibility lies at the heart of Dietrich Bonhoeffer's theology, and his theological anthropology is

predicated on an interpersonal “I-Thou” relationship. The second section will begin with a review of Bonhoeffer’s theological anthropology, which will quickly lead us to a conversation of responsibility. I will turn to Bonhoeffer’s *Ethics* to explicate how Bonhoeffer says the individual is to live for the other. I discuss Bonhoeffer’s notion of “taking-place-of-the-other” and his belief that the only way individuals can assume responsibility is through the renunciation of their life. I will turn to the work of Christine Schliesser, a Bonhoeffer scholar, to consider three ways she believes individuals can renounce the self. In this renunciation, Bonhoeffer believes the individual loses all basis for ethical action, opening the way for Christ to fill this ethical void. I will examine how Bonhoeffer wants us to understand the Christ event as a “willingness to become guilty” which must be replicated by those who wish to live responsibly for the other.

Bonhoeffer as a Public Activist: Acting Responsibly in Response to Church Failure

In his first book, *Sanctorum Communio*, Bonhoeffer lamented the lack of contemporary church dialogue concerning the intersection of “the gospel, the church, and the proletariat.”⁵⁸ Modern social problems of injustice in class structure and economic schema were not being taken up by the church. The failure of the church to address social problems had led many in the proletariat class to turn away from it. In essence, Bonhoeffer believed, the church had failed in its responsibility to thousands of oppressed individuals, and this failure needed a solution based in activism. Bonhoeffer’s stress on responsibility for the other was not apparent in theological discourse when he wrote his first book, and the lack of church activism on behalf of oppressed classes informed his political theology. Bonhoeffer observed that Christian theological discourse was aimed “at relatively secure people”: theological debate in the academy simply served as

intellectual stimulation, sermons simply filled a need for having “something fine and educated and moral for the free hours of Sunday.”⁵⁹ In most of contemporary theological discourse, Bonhoeffer saw no call to help the poor, no moral imperative to encounter the depth and scope of the poverty in the world. His experience in the United States confirmed the failure of the church to engage with social issues, and he even witnessed some pastors perpetuating injustices in the Jim Crow south.⁶⁰ I contend that the failure of the white church in the United States to come to the aid of oppressed African Americans compelled Bonhoeffer to reconsider how acting responsibly was to be lived out in the world.⁶¹

Bonhoeffer believed that the responsibility of individuals toward each other was in part compelled by their shared existence *communio peccatorum*, the communion of sinners. This idea of shared sin seems to parallel Niebuhr’s idea of inevitable personal sin and its exacerbation when entered into human relationships. The two were able to interact in 1930, when Bonhoeffer travelled to the United States to spend a year at Union Theological Seminary. Initially upset by the social liberalism of Union, Bonhoeffer expressed disdain for Niebuhr who “seemed to talk about everything but God.”⁶² However, it was his time with Niebuhr in the United States that changed him into a political theologian who cared about the way structures influenced the world. What he saw in America informed his theological understanding of responsibility and compelled him to activism on behalf of oppressed individuals. Though he once complained that Niebuhr’s classes resembled political seminars more than theological ones, his concern when he returned to Germany, like Niebuhr’s concern in America, soon became public activism on behalf of marginalized groups in society. Specifically, Bonhoeffer became

upset, after his time in America, with the way theology and the church addressed (or failed to address) the plight of the working class.

When he returned to Germany from America, Bonhoeffer was ordained as a pastor. He began to teach at the same school from which he had received his Ph.D. while also taking on a role as pastoral assistant at a church in one of the poorest areas of Berlin, Zionskirche. There, he had fifty young boys assigned to him who were sons of unemployed factory workers and other disillusioned members of the German proletariat. He soon began inviting small groups of the boys over to his house for sessions of scripture reading and recordings of spiritual hymns from the black church. Even more than his time in Harlem, where he could easily recede to the comforts of Union food and housing, Zionskirche provided Bonhoeffer an opportunity to witness firsthand Christ existing as community. Finally, in the little church in Zionskirche, Bonhoeffer felt the claim of the “Thou” on his “I-ness” in the ethical sphere, not simply the intellectual one. This understanding forms the basis of Bonhoeffer’s theological anthropology, and it is significant that his understanding of the other was no longer an intellectual pursuit in service of the greater understanding of the *communion of saints*, but, rather, the other was found in the claim the young boys in the church placed on Bonhoeffer.

Upon returning to Germany, Bonhoeffer lamented that theological conversation—from sermons to academic papers to conversations among lay people—had still not regained a personal touch for the proletariat. The boys with whom he lived in Zionskirche were disillusioned with the church even while the bourgeois had remained staunch supporters of the church. It should be noted here that the same has been said of the theological conversation led by many pastors today. Richard Wills⁶³ has mourned the

loss of serious theological conversations between pastors today. He says of modern pastors that “the extent of their research and writing essentially revolves around the weekly ritual of sermon writing, thereby reducing opportunities for engaging the meaningful discourses provided by theologians past and present.”⁶⁴ The goal of political theology, by which theological concepts are molded in light of social situations and social situations are addressed and changed by theological discourse, seems not to be a goal shared by many pastors today.

While in New York, Bonhoeffer began attending, through a connection with another student at Union, the black Abyssinian Baptist church in Harlem. The experience would prove transformative. Bonhoeffer first became interested in the “Negro problem” through one of Niebuhr’s classes at Union, and Niebuhr’s inspirational lectures and activism inspired Bonhoeffer’s “vocation of public theologian.”⁶⁵ While Niebuhr exposed Bonhoeffer to literature about and by black Americans, it was not until he began attending Abyssinian that Bonhoeffer recognized the unique plight of the black American in 1930. After his first visit to Abyssinian, Bonhoeffer relayed that it was only in Harlem that he experienced true religion in the United States.⁶⁶ He concluded from his experience that it was only among oppressed black Americans that he could find any real religion in the United States.⁶⁷ Bonhoeffer witnessed some of the worst aspects of “the American dilemma” of the 20th century when he went on a road trip through the Jim Crow south to visit southern churches. While there, he noted the wretched degradation and oppression of black Americans, even by preachers.⁶⁸ This oppression led to a “reserved melancholy” at the state of the church in relation to the social problems of the day. Juxtaposed against the joy of black people displayed in church services, their systematic oppression caused

Bonhoeffer to feel the sincerity of the religion practiced by the people with whom he was worshipping. He summed up his revelatory experience of the black church by saying that in America, “I heard the gospel preached in the Negro churches.”⁶⁹

His experience with the Harlem church allowed him to ground his theology in the concrete situation which he called for in *Nature and Destiny of Man*, something that his German theological training had not done. It seems that the thing which most struck Bonhoeffer was the “eruptive joy” of the black church, coupled with a theology that looked to a time when oppression of the black American would come to an end. In this mix of joy and serious concern, Bonhoeffer found for the first time a physical expression of the *sanctorum communio*. The utter concern that the members of the church had toward each other as the Great Depression worsened, I believe, was the most expressive example that Bonhoeffer had ever encountered of “Christ existing as community.” He could see the concern for the I-ness of the other Thous in the black church as he watched the members interact with each other. For the rest of his life he carried with him a copy of *Book of American Negro Spirituals* to remind him of the joy of the religious experience he had experienced while in Harlem.⁷⁰

It has been said that Bonhoeffer may well have remained an “armchair theologian” if not for the Nazi crisis and the conditions of unrest in which he lived.⁷¹ However, it seems apparent to me that Bonhoeffer’s time in America convinced him of the efficacy of pastoral care beyond the immediacy of giving sermons and attending to congregants. In his *Ethics*, he condemned the provincial mindset of a “leading church official in Germany,” who failed to raise protest against the death sentence of nine black men accused of raping a white woman because none of the individuals attended his

church. Bonhoeffer describes the provincial understanding of vocation as a false limitation on the commandment to love the neighbor, saying that the Christian is not free of her responsibility for the other even when the other is far away.⁷² Even in the absence of World War II and Nazi oppression, Bonhoeffer likely would have remained focused on the issue of systemic racism and the oppression of millions of others far away in the United States. Rev. Wills has stated that the social context of Nazi Germany set Bonhoeffer on his course of public activism.⁷³ While this “fierce urgency of the now” may indeed have convinced Bonhoeffer to change his perspective from an eschatological urgency, his time with Niebuhr likely set him on that course already. Indeed, absent his feeling of responsibility for those in Germany, he may not have returned there and rather extended his second trip to Union much longer. Instead, he left the United States to live out his theological understanding of responsible action for the other, a decision which would cost him his life.

Acting Responsibly: Christological Foundation for Becoming Guilty

Bonhoeffer’s theological anthropology must be understood in the context of his activism and interaction with oppressed classes, as his theology informed his decision to interact with oppressed classes and those interactions subsequently molded and refined his theology. Bonhoeffer’s theological anthropology is precipitated on his belief that the human person stands in relation to others “from the ethical standpoint.” He believes that the mind and body do not exist in tension with each other, as Niebuhr does. Rather, they coexist only in their absolute responsibility to “another.”⁷⁴ He calls his framework for understanding this responsibility the existence of the individual in an “I-Thou” relationship. Bonhoeffer believes that the Thou⁷⁵ of other individuals presents a barrier to

the I's solitude in the ethical realm. The interaction with another forces a decision upon the individual to act, and this decision binds the individual to the time in which they have to make it, so that the individual "(relates their) concrete person in time in all its particularities to this obligation" that is created by the interaction with the other.⁷⁶ There exists in the Thou an individual "I" which the Thou experiences as "I" just as the I experiences the I's own individuality. For Bonhoeffer, the Thou is the existence of another human who is as equally human as the I. The encounter with the Thou places before the I a moral decision. The Thou places a claim on the I, and the moral demand of this claim is "absolute."⁷⁷

Bonhoeffer believes that the individual cannot fulfill the absolute claim of the other, and his Christology is centered on his understanding of Christ's *Stellvertretung*, by which Christ comes to share in the community of guilt,⁷⁸ the *communio peccatorum*. When the individual has renounced their life, Christ fills the ethical void that is left compels the individual to participate in the same vicarious representative action that Christ did. In shedding one's self-righteousness through renouncing oneself, the individual, "as one who acts responsibly within the historical existence of human beings, becomes guilty."⁷⁹ Bonhoeffer calls this vicarious representative action. By this, he means it is one's action on behalf of other individuals who cannot act. In Christ's incarnation, crucifixion, and resurrection, he was the first, and perfect, vicarious representative, and his action on our behalf serves as the inspiration for and call to action by us as individuals. As Bonhoeffer says, everything that human beings were supposed to be, in the eyes of God, was fulfilled in Christ.⁸⁰ Just as Christ became guilty for human

guilt, a “*willingness to become guilty*” characterizes the response of the individual who wishes to act responsibly.⁸¹

The only way that an individual can assume true responsibility and become guilty for the other, writes Bonhoeffer, is through the renunciation of one’s own life.⁸² Only when someone has renounced their own life are they prepared to live for the neighbor. What does it mean to renounce one’s life, though? Bonhoeffer’s ideas considering this renunciation have been refined by recent scholarship.⁸³ Christine Schliesser lays out three specific ways Bonhoeffer explicitly or implicitly says the individual is supposed to renounce the self. First, the one must renounce one’s righteousness. In doing so, the individual “has cleared the path for actions possibly injuring one’s righteousness.”⁸⁴ In other words, by denying oneself the capacity to take pride in taking righteous action, one can open oneself to actions that one never would have considered taking before. The second attribute of the self that the individual must renounce is their dignity, renounced so as to share in the guilt of the other. In renouncing one’s dignity, one allows oneself to “know only *one* dignity and honor, the mercy of the Lord.”⁸⁵ The individual, like Jesus’ disciples, exhibits an “irresistible love” for the lowly, sick, and others mentioned in Matthew 25.⁸⁶ This love seeks out all those in need and shares in their “need, debasement, and guilt.”⁸⁷ The first step to sharing in guilt is an initial forgiveness for the action which occasioned the guilt, because in so doing the forgiver participates in the crucified Christ and fully is able to renounce her dignity.⁸⁸

The first form of renunciation, renouncing one’s righteousness, allows the individual to put away any notion of superiority in their actions or relationships. The individual is humbled by the knowledge that they are not righteous except through the

righteousness of Christ. This allows the individual to begin contemplating taking action in accord with Christ's righteousness. The second form of self-renunciation, which entails the renunciation of one's dignity to share in the guilt of others, has clear indications for the "guilty" people under carceral control. Sharing in the guilt of people under carceral control can take many forms,⁸⁹ but no matter how they do it, the individual who renounces dignity to share in the guilt of others may lose money, social status, and more in making such a decision.

The first two renunciations form a foundation that allows the third form of renunciation to take shape, and this renunciation carries the utmost import for this discussion of the criminal justice system. The third form of self-renunciation compels the individual to renounce their knowledge of good and evil obtained through the freed conscience.⁹⁰ The narrowness of the human conscience in making determinations of good and evil prohibits them from fully renouncing themselves. The renunciation of knowledge of good and evil paves the way for a "purity of heart" that sees only Christ.⁹¹ Schliesser calls this self-renunciation, all three parts being renounced simultaneously, as a "deconstruction of morality" which creates a "moral vacuum" for the individual.⁹² Refusing righteousness, dignity, and the knowledge of good and evil, the individual has nothing on which to base their ethical action. Only once this has taken place can the ethical void be filled and, for Bonhoeffer, there is only one thing that can fill the void: Christ.

In emptying oneself and allowing Christ to fill the void that is left behind, the individual is able to fulfill the claim placed on them by the other in the I-Thou relationship because Christ has already fulfilled it for them. The person who lives in

Bonhoeffer's I-Thou relationship is granted the certainty that they are loved, for the love of Christ lets humans will for good, rather than simply their own self-interest, and through their faith in the love of Christ people are able to love others in return.⁹³ When this happens, the other is conceived as a revelation of love whereby the Thou-ness of the other no longer places a claim on the I of the individual, but rather is presented as gospel and hence "an object of love."⁹⁴ When the I sees the Thou in this way, the I can recognize that he has been freed by the love of Christ to love the Thou completely. The love of Christ "supplies the strength" that allows the individual to fulfill the claim of the neighbor, which forms the basis of basic moral relationships.⁹⁵ This love is only available to the individual through self-renunciation and faith in Christ, and Bonhoeffer notes Luther's insistence that the love of Christ compels the individual to take on the infirmities of the other as if they were his own, because the other's claim on the individual has been fulfilled through Christ. "Luther calls this 'being transformed into one another through love'"⁹⁶ and this transformation of the individual is key to understanding the obligation of individuals toward each other in this new community that Bonhoeffer will call the *sanctorum communio*.

Christ's act of love has important implications for life within the I-Thou framework. No longer does the Thou present itself as a barrier to the I in the ethical realm. The claim of the other that the I had an obligation to fulfill has been fulfilled by Christ, allowing the I to simply be for the other: "our being for one another now has to be actualized through (our own) act of love."⁹⁷ In this framework, Bonhoeffer says that humans understand their existence differently because they understand their relationship to other humans to be "with one another and for one another."⁹⁸

Implicit in this being with one another is an “experience of ethical solidarity” in which all individuals recognize that they belong to the mankind of Adam and are thus members of the *communio peccatorum*.⁹⁹ Bonhoeffer’s understanding of the doctrine of original sin thus places an individual inevitably into the *communio peccatorum*, saved only by the vicarious representative action of Christ that places the individual in the *sanctorum communio*. Bonhoeffer implicitly asserts here that, in the type of community he envisages the *sanctorum communio* to be, each member lives with the recognition that he or she does not deserve place in the communion of saints because of his or her simultaneous membership in the *communio peccatorum*. All members are equal and equally responsible because of their existence in the *communio peccatorum* and shared need for redemption. It is this recognition of not-belonging that “disposes of man’s moral self-assurance in face of his fellow-man”¹⁰⁰ because each person recognizes their existence in the community is wrought by Christ’s “vicarious love on the cross” and comes through no action of their own.

Granted membership in the *sanctorum communio* through the love of Christ, each member is freed to live for the “other” who is at once a member of both the *sanctorum communio* and *communio peccatorum*. The subject of how we are to live for the other is addressed in Bonhoeffer’s uncompleted *Ethics*, which he wrote in the months leading up to his arrest by the Gestapo. The theme of *Ethics*, which will set the framework for our thinking about mass incarceration and the millions of “Thous” for whom we are called to live, stresses the individual’s responsibility for other humans. Most of my analysis and application of Bonhoeffer comes from the two chapters of *Ethics* titled “History and Good.” In these pages, Bonhoeffer elucidates the actual application of ethics to the

realities of the world. In his explication of a theological anthropology, Bonhoeffer wrote that Christian thought uniquely believes that “concrete personal being arises from concrete situation” when the individual is faced with a moral decision in a moment in time.¹⁰¹ In a similar way, he believes that the study of ethics must be undertaken within concrete situations, for viewing ethics as a static choice between right and wrong occasions a withdrawal from responsibility for the whole community. No one is capable of completely removing him or herself from human community,¹⁰² and thus to assert an ethical framework that places decision-making purely in the hands of the individual is to ignore the historicity of human existence.¹⁰³ Discovering the extent of our responsibility for the other lies in our realization that we are not called to realize ethical ideals¹⁰⁴ and choose between good and evil; rather, we are called to recognize that “good and evil are hidden in the concrete historical situation.”¹⁰⁵

To contemplate our responsibility for the other within the framework of the criminal justice system, we must radically shift our perception of good and evil not as ideals to consider but as facts in the context of human history. The traditional dichotomy between crime and punishment or accountability and forgiveness must shift when we consider the simultaneous and overarching dichotomy of sin’s inevitability faced by our responsibility. Christ himself died as a criminal, and in doing so he bore the guilt for the sin of humanity. Bonhoeffer refers to this sacrifice as *Stellvertretung*.¹⁰⁶ Bonhoeffer writes that the Christian and worldly aspects of vicarious representative responsibility [stellvertretende Verantwortung] are now understood “in their unity only within the concrete responsibility of action that is based on the unity accomplished in Jesus Christ.”¹⁰⁷ While human beings cannot represent the perfect “taking-place-of-the-other”

of Christ, they can acknowledge that His action forms the foundation for all human relationships by setting the paradigmatic example for how humans are to live for other humans.

Entering the guilt of the human community, the individual is almost at once overcome by the immensity and inescapability of human sin. Both Niebuhr and Bonhoeffer saw the pervasiveness of human sin, and both Niebuhr and Bonhoeffer suggest that the taint of sin in human beings and human institutions is inevitable. However, Bonhoeffer does not say that entering into this bleak situation of human guilt should lead to a “bitter resignation” at the state of the human condition. Rather, entering this community opens the human heart to the “joy over the already accomplished reconciliation of the world with God.”¹⁰⁸ This reconciliation of the world to God closes the rift that once existed between humans and God. Having been reconciled to God, the Christian acknowledges that Christ participates in their guilt and bears it for the individual. The origin of one’s responsible action is the already-accomplished vicarious action of God *for* us combined with the eternal demand of the Thou *on* the individual. One’s worldly response to the loving act of God is therefore to fight for the security of other persons¹⁰⁹ through political action.

To become guilty for the incarcerated other, the individual has to advocate to dismantle the structural sin of mass incarceration that has allowed the continued oppression of incarcerated people, even after they reintegrate into society. Acting responsibly requires action on the individual’s part that brings all guilty individuals into community.¹¹⁰ I take this “entering into community” to be a form of solidarity¹¹¹ whereby individuals act to express their unity of mind and purpose with others in the

community of human guilt, which is to say, everyone. In the context of the criminal justice system, I would contend that such action should take the form of public advocacy for state forgiveness. Bonhoeffer says that everyone who acts responsibly becomes guilty after the model of Christ, whose responsible action resulted in his entering into human guilt. It is important to note that Christ literally *took on* a guilt that was not his own. To become guilty for the others who have themselves been found guilty in the criminal justice system, individuals must take on their guilt, too.

Individuals take on the guilt of the incarcerated other because they believe that they are culpable, and the society to which they belong is even more culpable, in perpetuating the sinful structures that have led to mass incarceration. This acknowledgment becomes explicit in the individual's public advocacy for state forgiveness, by which they express to their neighbors and their government that they have entered into ethical solidarity¹¹² with individuals who are incarcerated. In the case of crimes that have victims, this means that individuals take the side of the wrongdoer, arguing that the right of the state to punish on behalf of the victim is deferential to the right of the state to promote a broader societal good. Recall that Niebuhr says Christian attitude toward government views it as both a "principle of order."¹¹³ Nicholas Wolterstorff says that one of the most powerful tools the government yields in its role as a "principle of order" is the power to punish. He also asserts that the state is a "complex and curious arrangement when it comes to punishment" because it punishes on behalf of citizens and also punishes for crimes committed "against the state."¹¹⁴ Thus, the ability of a state to punish is conceived of as a right of both the state and of the victim on whose behalf the state punishes, should such a victim exist.¹¹⁵

This right to punish, says Wolterstorff, is a permission-right. That is, if the state does not punish a wrongdoer, it further victimizes the individual who has been wronged.¹¹⁶ However, the state is also granted a prima facie permission right to bring about societal good, and that right may sometimes supersede the right of individuals to have wrongdoers punished on their behalf. In favoring the right of a victim to have a wrongdoer punished excessively, I would argue that the state has assumed a “false claim of majesty.”¹¹⁷ It has claimed the ability to separate victims and wrongdoers into two separate existential categories. To correct this false distinction, I would contend that the states should forego punishment against the perpetrators of victimless crimes. Their right to do so for the sake of the wrongdoer’s humanity is “weightier than the prima facie permission-right of the citizen to have the wrongdoer punished.”¹¹⁸

When would the right of the victim to have the offender be punished get overshadowed? Wolterstorff says that hard treatment, that is, imprisonment, is an acceptable response to crime only if it is intended either to rehabilitate or to protect. Under the modern system of mass incarceration, very few individuals are incarcerated for one of those two reasons. Many are incarcerated for “victimless” drug crimes, and countless others are incarcerated not for rehabilitation, but rather for retribution for their crime, which may have happened many years ago. To reiterate a point made earlier, the modern system of mass incarceration seeks to excessively incarcerate individuals for crimes and disenfranchise them upon reentry to society. It seems that the social good would be better served reintegrating these individuals into society rather than continuing to incarcerate them and disenfranchise them when they leave prison. Only in advocating for this level of forgiveness from the state can one expose oneself to the guilt which one

is responsible to bear for the other. If individuals refuse to advocate on behalf of incarcerated individuals, they “put their personal innocence above their responsibility for other human beings and are blind to the fact that precisely in so doing they become even more egregiously guilty.”¹¹⁹

Bonhoeffer recognized the necessity of participating in political action and found “clarity in responsible action” when he made his fateful decision to return to Germany and participate in the plot to kill Hitler in “the struggle that would cost him his life.”¹²⁰

King, Complicity, and Incarceration: Moving Toward Reconciliation

In this chapter, I will analyze King’s understanding of social sin inherent in the structures of Jim Crow and assert that his plea for reconciliation resonates with those involved in the system of mass incarceration. As I have previously demonstrated, the criminal justice system currently oppresses the individuals who live under its control by excessively punishing their offenses. It also serves to stigmatize these individuals should they be allowed to reenter society and, for many of these individuals, the criminal justice system disenfranchise them for life. In the first section of this chapter, I will discuss how King’s theology was unusually well-suited to tackle the social sin of Jim Crow. I then discuss how King discusses Jim Crow as a structural evil designed to maintain the power structures that have existed since the beginning of American history. I will recall his activism against Jim Crow and argue that for individuals to act responsibly for incarcerated individuals requires their advocacy in the public sphere. Invoking the work of the modern Civil Rights activist Bryan Stevenson, I will end this section by arguing that a similar passivity exists in the movement to end mass incarceration.

The second section will establish the theological and practical bases for forgiveness of incarcerated individuals. I will discuss whether it is even possible for the state itself to forgive the individuals who are incarcerated. There may be good reasons that states cannot or should not forgive incarcerated individuals. The possibility also exists that the state may, to the contrary, have an obligation to forgive incarcerated individuals. I will also turn to a discussion of grace, which may be a more appropriate word to discuss the vehicle through which reconciliation between incarcerated individuals and the state can take place. I will conclude the chapter by discussing how King believed reconciliation was necessary to advance of the Kingdom of God on earth.

A discussion of King and his theology is a salient way to begin this final chapter for two reasons. First, King drew heavily on Niebuhr for theological insight¹²¹ and followed Bonhoeffer in advocating for an oppressed group of people even to the point of martyrdom. He is, in many ways, a synthesis of Niebuhr and Bonhoeffer's Christian ethical perspectives who expounded upon them and embodied a "lived theology." The other important reason for turning to King here is that this paper is about criminal justice reform, and, as I have noted above, the criminal justice system discriminates against African Americans in significant and devastating ways. In analyzing King's theological arguments in the fight against Jim Crow, we can reclaim these arguments to discover how we can advocate for reform of what Michelle Alexander has called the "new" Jim Crow: the system of mass incarceration in the United States.

Social Sin and Responsibility in The Theology of Martin Luther King, Jr.

The goal of King's nonviolent resistance to Jim Crow was the realization of a "beloved community" that would approximate the Kingdom of God on earth. Although

King was heavily influenced by Niebuhr, the two differed in their understanding of the nature of the Kingdom of God. While King believed that the Kingdom of God could be advanced on earth, even as he maintained skepticism about the goodness of human nature, Niebuhr did not think humans could approximate the Kingdom of God. King did not encounter Niebuhr's thinking until he began his studies at Crozer Theological Seminary, and he spent the rest of his life navigating a balance between the "evangelical-conservative" tradition into which he was born and the "liberal-modernist approach" that he studied there.¹²² In between these two traditions, King made space for the Black Church to begin advancing the Kingdom of God for the sake of oppressed African Americans.

The distinction between the two traditions between which King lived is a significant one to make because it shows the space within which King formed his political theology. The conservative Baptist tradition into which he was born focused almost exclusively on the personal nature of sin and salvation in the world to come. Meanwhile, the liberal-modernist tradition of Niebuhr focused less on individual salvation and more on social sin as it exhibited itself in the world.¹²³ Part of King's genius was taking the Black Church's focus on personal sin and using it to attack the social sin which had oppressed members of the Black Church for decades. The evangelical-conservative theology of the Black Church had historically focused only on the personal salvation of the individual. In focusing only on the other-worldly by emphasizing personal salvation, the Black Church had not, in King's opinion, focused enough energy on advancing the Kingdom of God on earth.

King agreed that the personal sin so emphasized by the Black Baptist Church manifested itself in everyday life to the detriment of millions of people. King's theological maneuver from this accepted fact was that he explicitly showed how the personal sin of individuals manifests itself in human relations. When individuals form a collective group, King says, their individual sin manifests itself in their interactions with each other. Thus, personal sin of individuals manifests itself as sin that exists in all relationships. From this standpoint of relational sin, King advocates for "transforming the institutions based on these relations," specifically the institution of Jim Crow.¹²⁴ Stephen Ray Jr.¹²⁵ goes so far as to say that our modern notion of social sin comes from King's ability to synthesize understandings of the "deeply personal sources of sin within society and the social-scientific analysis of the ways sin operates within the systems of society."¹²⁶ He says, in essence, that King has defined our modern idea of social sin when he established Jim Crow as the embodiment of a sinful structure.

King believed Jim Crow laws carried the same roots of the social sin that had infected the historic structures of slavery. Once the criminal justice system redefines incarcerated humans as existentially different than the rest of society, it deals harshly with those who are found guilty of drug crimes, and the system particularly targets, punishes, and retains black Americans at a much higher frequency than white Americans. The early media hysteria surrounding the war on drugs caricatured the drug dealer as a young, black man, even though just as many users and dealers were—and continue to be—white.¹²⁷ It may not be the fault of police officers that they carry an implicit bias against black people as drug dealers and users; society has had the imagery of poor, black drug dealers imprinted on it for nearly three decades. As I have discussed above, the

criminal justice system must be less than perfectly just, according to the Christian theological lens I have been discussing, because it has been conceived by individuals who are themselves inevitably sinful. Racism is woven into the very fabric of the criminal justice system. In fact, King would say that most people who create and participate in the system —police officers, judges, probation officers, and the passive bystander—are good people.¹²⁸ For instance, judges who impose harsh sentences often do so with sadness and regret. Many federal judges, including conservative arbiters, have quit to protest the “unjust, cruel, and even irrational” systemic mass incarceration of poor, black people.¹²⁹

Nevertheless, passive adherence to an unjust system is still adherence to it and thus participation in the structural sin upon which it is founded. In “Letter from a Birmingham Jail,” King admonishes white pastors for commending the police who had “kept order and prevented violence” by arresting him in Birmingham.¹³⁰ This preference for “a negative peace which is in the absence of tension to a positive peace which is in the presence of justice” reflects the lukewarm nature of white pastors’ acceptance of civil rights. King’s insight echoes a sentiment expressed by Niebuhr three decades earlier in *Moral Man and Immoral Society*. In a chapter titled “Attitudes of Privileged Classes,” Niebuhr points to the historic trend in American politics of privileged classes oppressing less-privileged classes “by appeals to law and order.”¹³¹ Law and order, he says, are used as a pretense for resisting social change. Both theologians note the hypocrisy inherent in these beliefs. For instance, King writes that it was “illegal” to help Jews flee Germany under Hitler’s regime. It is clear that, for King, social sin goes so deep as to infiltrate the very laws on which the entire country stood. King believed that the structure of Jim Crow

laws were the embodiment of social sin in his time, and his advocacy and activism were directed at changing the perspective of passive individuals. In addressing the white pastors of Birmingham, King hoped to show that justice was more important than order, and that individuals had a “moral obligation to disobey unjust laws.”¹³²

King’s admonition against passivity in the fight against Jim Crow has been echoed by many modern proponents of criminal justice reform. Bryan Stevenson, executive director of the Equal Justice Initiative, made this argument in the wake of the Charleston, SC shooting in the summer of 2015. Like King, he recognizes the social sin that lies at the base of all forms of racial violence directed at black people, from slavery to lynching to Jim Crow and, now, the system of mass incarceration. In an interview conducted by the Marshall Project¹³³ immediately after the Charleston shooting, Stevenson says that racial violence today stems from a failure by America to have a conversation about the legacy of slavery. Stevenson’s argument takes the same stance against passivity in addressing issues of injustice as King did half a century ago. He says that when we refuse to talk about the history of racial violence, we begin to believe that we can simply leave behind an oppressive culture in which thousands of African Americans are “wrongly accused, convicted, and condemned.”¹³⁴ In trying to “adopt the habits and customs of the non-discriminatory,”¹³⁵ so-called politically-correct language of society, people today avoid the hard work of becoming genuinely non-discriminatory. Our failure to do so, he says, comes from a Niebuhrian self-delusion by which we turn a blind eye to the oppression of thousands in the criminal justice system. In our compliance with the system, we allow it to persist and fail in our responsibility to thousands of humans for whom Bonhoeffer says we should be living.

Stevenson's life has, like Bonhoeffer and King's, exemplified living for the other. His book *Just Mercy* is a brilliant commentary on the criminal justice system and its lack of ability to forgive individuals. He highlights the plight of many individuals either wrongly sentenced to death or sentenced to life imprisonment. He works with – and lives *for* – the people who face the worst oppression of our criminal justice system. The evils of mass incarceration, which I have discussed previously, are that it excessively punishes individuals, stigmatizes them, and for those lucky enough to reenter society, it often disenfranchises them for life. These evils are emblematic of a criminal justice system that fails to forgive the individuals who enter it. In the next section, I will argue that reconciliation is theologically and practically necessary to contest the current understanding of criminal justice.

Forgiveness and Reconciliation: Toward King's Beloved Community

The sin of the collective individual expresses itself most concretely in the establishment of legal structures of government. Therefore, the state must find a way to forgive the individuals under carceral control if it is to combat social sin. King, in his own time, recognized the state's unwillingness to forgive individuals under carceral control. "From behind the bars," he says, incarcerated individuals "will tell you society is slow to forgive." Indeed, he laments that "capital punishment is society's final assertion that it will not forgive."¹³⁶ Modern scholars debate the idea of forgiveness rigorously. Geoffrey Scarre has developed at least one reason that states who want to offer true or "full" forgiveness have a difficult and complicated theological hill to climb.

Scarre contends that the state cannot offer full forgiveness to offenders because attempting to do so "smacks of a shabby self-righteousness."¹³⁷ As I have argued above, the current system of mass incarceration has grown out of the United States' – and

particularly the administrations from Reagan through the second Bush – tough on crime policies. Therefore, the government is also culpable for the unjust incarceration of thousands of individuals. In offering forgiveness to people who are incarcerated for non-violent crimes or have been incarcerated for unreasonable amounts of time, Scarre says, the state would be ignoring its own culpability and “implicitly placing all the blame” on incarcerated individuals for their physical and existential separation from society.¹³⁸ This issue presents challenges to the potential for a collective forgiveness of individuals in the carceral system today. If such forgiveness is a prerequisite to love for King, how should we address this issue in the context of the criminal justice system?

As I noted above, a rich scholarship revolves around the idea of theological resources providing insight to political forgiveness.¹³⁹ It seems to me that the traditional understanding of forgiveness may not be the most appropriate way for us to consider the relationship between the criminal justice system and incarcerated individuals. Recalling that we want to consider how the criminal justice system can rid itself of the social sin demonstrated by excessive period of incarceration, stigmatization, and disenfranchisement, it is helpful to remember that doing so can be conceived as advancing the Kingdom of God. Scarre has suggested that individuals and collective groups display “a certain kind of grace” toward wrongdoers. It is my contention that individuals who do not directly participate in either crime nor its adjudication must first adopt this attitude of grace toward incarcerated individuals so that the instruments through which their governments operate can do the same.

I see three reasons that Scarre lists for doing this in the specific context of the criminal justice system. First, in advocating for grace, individuals “acknowledge faults on

both sides”¹⁴⁰ and attempt to point those faults out both to the state and to incarcerated individuals. This type of grace could begin to break down the barriers that are created by contempt for the other that Niebuhr says so infests the modern criminal justice system. In breaking down these barriers, individuals can see the second reason they should advocate for grace: it involves a willingness to look at things from others’ points of view. When groups do not understand each other, they lose the ability to sympathize with the circumstances and motives that inform the decision of the other. Recalling that the state is the embodiment of group sin, we recognize the same tendency in the state to hate the other that King notes in individuals. However, as King eloquently remarked, in changing one’s point of view, “we recognize that (one’s enemies’) hate grows out of fear, pride, ignorance, prejudice, and misunderstanding.”¹⁴¹ When one takes the point of view of one’s “enemy,” one see oneself described in the same way – fearful, prideful, ignorant – and sees that “there is some good in the worst of us and some evil in the best of us.”¹⁴² Legislators would do well to recognize this perspective and the necessary invocation of grace from which it can be attained.

The third reason that the state should exhibit grace is that “grace... invites grace and does its best to stimulate it in the other party.”¹⁴³ As I have said, it is not my place to mandate that individuals who have been oppressed by mass incarceration forgive the criminal justice system. The injustices perpetuated by the criminal justice system at every step of the process, from policing to sentencing to non-legal consequences such as disenfranchisement, have devastating effects on the lives of millions. But King says that oppressed individuals must learn to love their enemies. Furthermore, in order to love ones

enemies, one must develop the capacity to forgive. Only when someone has forgiven their enemy can the redemptive power of Christ begin to take hold.

To highlight redemptive power of Christ, King notes that forgiveness removes the “mental block impeding a new relationship”¹⁴⁴ between forgiver and forgiven. Both state and individual benefit from the newfound relationship when both decide to forgive each other. If the state were to require something of an incarcerated individual in return for their release, it would suggest that the relationship is not truly restored; the mental block would still impede. Additionally, it would imply that the state is owed something, that it could hold against individuals the fact that they had previously been forgiven. Of course, I have already said many times that the state is also culpable for the individual’s incarceration, so forgiveness that leads to reconciliation of the sort King describes must be unconditional. This type of unconditional forgiveness should not be confused with the foregoing of punishment of individuals. Indeed, incarceration very likely plays a vital role in the establishment and continuance of a just society.¹⁴⁵ Rather, to forgive unconditionally is to recognize the humanity of the individual responsible for the wrong action done and maintain a hope that a relationship can be restored with the individual. In this way, forgiveness is key to King’s idea of a beloved community, for such a community could not exist if individuals within it were constantly retaliating against each other.

It seems to me that King’s idea of forgiveness here is more akin to the grace I have been discussing, as he says that forgiveness ultimately “means reconciliation, a coming together again.”¹⁴⁶ reconciliation is the opposite of retaliation. When one side forgives, the response can go one of two ways. First, the one being forgiven could

retaliate against the forgiver for past wrongs. King says that although broken relationships are often given the opportunity to be healed, individuals who have been wronged always want to retaliate against their wrongdoer.¹⁴⁷ One could imagine an individual incarcerated for 30 years choosing to commit some violent or retributive act in protest of his long incarceration, while the state could at the same time try to hold its decision to release an incarcerated person over that person's head. If both the state and the incarcerated individual wish to retaliate in this way, each side will continue to enact revenge against the other. But King says that "hate corrodes the personality and eats away its vital unity."¹⁴⁸ The failure to reconcile with each other is detrimental to everyone in a relationship. King says that history is "replete with the bleached bones of nations" who follow the path of retaliation and not the reconciliatory path offered by Christ. Thus, it appears that forgiveness is just as necessary for the one forgiving as for the one who is being forgiven.

Although King believes that reconciliation is necessary for an individual to love their enemies but does not want his followers to confuse love with some sentimental outpouring. Rather, he refers to *agape* love, which he says is "redemptive goodwill for all men."¹⁴⁹ Rather than forgiveness being a single act that one performs each time one is wronged, King says that it must become "a permanent attitude"¹⁵⁰ of every human being before they are able to learn how to love. King tells his fellow African Americans that "with Jesus on the cross, (they) must look lovingly at (their) oppressors and say, "Father, forgive them; for they know not what they do." King says that by loving his enemies, he makes them his friends. In making all humans his friends through redemptive love, he asks, "do I not thus destroy my enemies?" Like King, In individuals under the carceral

system can help the state tear down the barriers that exist between them and society by refusing to hold against the state the evils it has perpetrated. In adopting this permanent attitude of forgiveness, both the incarcerated and the incarcerator can work together toward reconciliation and advancement of the Kingdom of God.

Conclusion: Where Do We Go from Here?

Advancing toward the Kingdom of God was not something to be achieved easily during King's time, and it remains an elusive goal today. It is important to acknowledge that much of the language used in this paper is steeped in Christian doctrine, and the language used by all three theologians is reflective of an audience that was either deeply religious or had a deep understanding of Christian theology. In the society in which we live today, this language is not commonly-used, and indeed the base of knowledge from which most ethical conversation takes place does not involve religious language.

However, most ethical conversations are based on understandings of the human person. This paper attempts to enter the conversation of ethical responsibility from a certain Protestant Christian theological perspective. Of course, I hope that the arguments are compelling even to those who do not share that perspective, or that some assertions in this paper can be accepted by individuals who may not ascribe to the common underlying doctrines from which the three theologians argue.

All three theologians I have considered in this paper have understood sin as an inevitability of human existence. Whether he explicitly stated his belief in the doctrine of original sin, each theologian knew that sin was at the very core of human existence, and prohibitive of the advancement of any society. Niebuhr gave us the framework for thinking about social sin. Understanding sin as temptation that arises from the

individual's anxiety at their finitude, Niebuhr believed that groups exhibited the same "pride and arrogance" as individuals.¹⁵¹ He further asserts that collective pride is the "final form of sin" that can only be recognized "within terms of a religion of revelation."¹⁵² Though individuals and societies actively sin against one another, Niebuhr reminded us that "the final sin is the unwillingness to hear the word of judgment spoken against our sin."¹⁵³ The prevalence of sin in every human being, and the unwillingness to admit the inevitability of sin comes from human desire to conceal the finitude of their existence. They often attempt to do so by achieving some sense of moral superiority over and above "the other," but Niebuhr tells us that we must "re-examine superficial moral judgments, particularly those which self-righteously give the moral advantage to the one who makes the judgment."¹⁵⁴ Early on we saw theological challenges to the criminal justice system's understanding of the human person.

Bonhoeffer remarks that individuals always recognize that they have a responsibility for themselves. However, he also says that "the idea of having responsibility for myself is naturally meaningful only insofar as it denotes the responsibility that I exercise toward myself as a human being, that is, because I am human. Responsibility for myself is in fact responsibility for human beings as such, that is, for humanity."¹⁵⁵ Bonhoeffer said that the individual must act responsibly by imitating the vicarious action of Christ, who entered into human guilt for the sake of humanity. Just so, Bonhoeffer believes, the Christian is to enter into the guilt of the other for the sake of the other. Only in recognizing the solidarity of human guilt could the individual take action that assumed responsibility for human guilt.¹⁵⁶ Bonhoeffer noted one exceptional circumstance in which the individual must become guilty. He says that "when the explicit

law of the state, corporation, family, but also of a scientific discovery, entails a clash with the basic necessities of human life,”¹⁵⁷ the individual cannot act responsibly within the confines of the law. Rather, “in such cases, appropriate responsible action... is confronted with the extraordinary situation of ultimate necessities that are beyond any possible regulation by law.”¹⁵⁸ The individual is responsible for the basic necessities of human life, and when they are denied, such as in Nazi Germany or in the Jim Crow south, one becomes guilty for the other by opposing such structures. In the face of state oppression, responsible action faces a fierce urgency of the now.

I argued that acting responsibly would require an individual to advocate for the forgiveness of the incarcerated. This is a scary task for an individual to undertake, but one should take comfort, says King, in the story of the Good Samaritan, who does not ask what will happen to him if he stops to help the beaten man on the side of the road, but rather asks “if I do not stop to help this man, what will happen to him?”¹⁵⁹ In being focused on the other, the individual is able to take on the other’s guilt through responsible action, no matter the cost. To reform our criminal justice system, we need more individuals who are willing to advocate for change, no matter the personal cost. This exhibits itself, for King, in a form of what he calls dangerous altruism, for “the true neighbor will risk his position, his prestige, even his life for the welfare of others.”¹⁶⁰

King says that true altruism, like that of the Good Samaritan, is more than the capacity to pity; “it is the capacity to sympathize.”¹⁶¹ Niebuhr’s lesson about the inevitability of personal sin and the pervasiveness of structural sin should convince us that incarcerated individuals do not need the paternalistic pity of their fellow citizens. Rather, they need true sympathy, whereby the individual does not seek to do something

for the other, but rather *with* the other.¹⁶² In doing this, the individual recognizes the interdependence that all humans have on each other, and that the agony of the poor impoverishes the rich.¹⁶³ As King once told the white moderate pastors of Birmingham, Alabama, “I cannot be what I ought to be until you are what you ought to be and you can never be what you ought to be until I am what I ought to be.”¹⁶⁴ Human beings lead in complex, interrelated lives that require them to act responsibly toward the other individuals around them. King believes that Christ serves as a guide when he accepts all people as our brothers and sisters.

If one is to accept the call to live *for* the other by being *with* the other, one starts to recognize the humanity of the people in the criminal justice system, rather than just seeing their crime. This takes a revolution of values, whereby individuals shift from being thing-oriented to being person-oriented.¹⁶⁵ King says that modern economic and political structures impose on humans an impetus to be I-oriented rather than Thou-oriented, and he says that only such a revolution of values can combat this imposition.¹⁶⁶

The individual who undergoes this revolution of values stands with the incarcerated individual against the instruments of the state. This is a scary task for an individual to undertake, but one should take comfort, says King, in the story of the Good Samaritan, who does not ask what will happen to him if he stops to help the beaten man on the side of the road, but rather asks “if I do not stop to help this man, what will happen to him?”¹⁶⁷ In being focused on the other, the individual is able to take on the other’s guilt through responsible action, no matter the cost. To reform our criminal justice system, we need more individuals who are willing to advocate for change, no matter the

personal cost, for “the true neighbor will risk his position, his prestige, even his life for the welfare of others.”¹⁶⁸

BIBLIOGRAPHY OF WORKS CITED

- Alexander, Michelle. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York, NY: New Press, 2012.
- Couenhoven, Jesse. "The Possibilities of Forgiveness." *Journal of Religious Ethics* 41, no. 3 (2013): 377-81.
- "Criminal Justice Fact Sheet." NAACP. Accessed November 29, 2017. <http://www.naacp.org/criminal-justice-fact-sheet/>.
- Fox, Richard Wightman. *Reinhold Niebuhr: A Biography*. Ithaca: Cornell University Press, 1996.
- Gfroerer, Joseph, and Marc Brodsky. "The Incidence of Illicit Drug Use in the United States, 1962-1989." *British Journal of Addiction* 87, no. 9 (1992): 1345-351. doi:10.1111/j.1360-0443.1992.tb02743.x.
- The Holy Bible Containing The Old and New Testaments With the Apocryphal/Deuterocanonical Books: New Revised Standard Version*. New York: Oxford University Press, 2006. Print.
- Johnson, Corey. 2015. "[Bryan Stevenson on Charleston and Our Real Problem with Race](#)." The Marshall Project. (11 pages)
- King, Martin Luther. 1994. *Letter from the Birmingham jail*. San Francisco: Harper San Francisco.
- *Where Do We Go From Here: Chaos or Community?* Boston: Beacon Press, 1968.
- Strength to Love*. Compiled by Coretta Scott King. Philadelphia, PA: Fortress Press, 1981.
- Mauer, Marc, and Ryan S. King. *A 25-Year Quagmire: The War on Drugs and Its Impact on American Society*. The Sentencing Project. The Sentencing Project. September 2007. Accessed December 23, 2017. <file:///C:/Users/Mason/Downloads/A-25-Year-Quagmire-The-War-On-Drugs-and-Its-Impact-on-American-Society.pdf>.
- Murphey, David, and P. Mae Cooper. *Parents Behind Bars*. Child Trends. Child Trends. October 2015. Accessed December 23, 2017. <https://www.childtrends.org/wp-content/uploads/2015/10/2015-42ParentsBehindBars.pdf>
- Newell, Walker. "The Legacy of Nixon, Reagan, and Horton: How the Tough on Crime Movement Enabled a New Regime of Race-Influenced Employment

- Discrimination." *Berkeley Journal of African-American Law & Policy* 15, no. 1 (January 2013): 3-36.
- Nellis, Ashley, Ph.D. "The Color of Justice: Racial and Ethnic Disparity in State Prisons." The Sentencing Project. Accessed November 29, 2017.
<http://www.sentencingproject.org/publications/color-of-justice-racial-and-ethnic-disparity-in-state-prisons/>.
- Niebuhr, Reinhold. *The Essential Reinhold Niebuhr: Selected Essays and Addresses*. Edited by Robert McAfee Brown. New Haven, CT: Yale University Press, 1986.
- *Moral Man and Immoral Society: A Study in Ethics and Politics*. Introduction by Langdon B. Gilkey; Foreword by Cornel West. Louisville, KY: Westminster John Knox Press, 2013.
- The Nature and Destiny of Man: A Christian Interpretation*. Vol. 1. II vols. New York: Charles Scribner's Sons, 1941.
- The Nature and Destiny of Man: A Christian Interpretation*. Vol. 2. II vols. New York: Charles Scribner's Sons, 1943.
- "Niebuhr, Reinhold." *Niebuhr, Reinhold | The Martin Luther King, Jr., Research and Education Institute*, Stanford University, 21 June 1892,
kinginstitute.stanford.edu/encyclopedia/niebuhr-reinhold.
- Ohlheiser, Abby. "Pastor Creflo Dollar Might Get His \$65 Million Private Jet After All ." The Washington Post. June 03, 2015. Accessed December 07, 2017.
https://www.washingtonpost.com/news/acts-of-faith/wp/2015/06/03/pastor-creflo-dollar-might-get-his-65-million-private-jet-after-all/?utm_term=.c1fc6842e2c3.
- Rorty, Richard. "Religion as Conversation-Stopper." In *The Ethics of Citizenship*, edited by J. Caleb Clanton, 135-40. Waco, TX: Baylor University Press, 2009.
- Scarre, Geoffrey. "Political Reconciliation, Forgiveness and Grace." *Studies in Christian Ethics* 24, no. 2 (2011): 171-82.
- Schliesser, Christine. *Everyone Who Acts Responsibly Becomes Guilty: Bonhoeffer's Concept of Accepting Guilt*. PhD diss., Doct. Diss. Fuller Theol. Seminary Pasadena, 2008.
- Scott, Peter. *The Blackwell Companion to Political Theology*. Malden, Ma.: Blackwell, 2009.

Virginia. Department of Correctional Education. *Fighting Crime Through Education*. By Gwynne Cunningham. 2006.

Webb, Gary. "Driving While Black." *Esquire*. January 29, 2007. Accessed December 26, 2017. <http://www.esquire.com/news-politics/a1223/driving-while-black-0499/>.

Wolterstorff, Nicholas. "Is It Possible and Sometimes Desirable for States to Forgive?" *Journal of Religious Ethics* 41, no. 3 (2013): 417-34.

BIBLIOGRAPHY OF WORKS CONSULTED

Ansbro, John J. *Martin Luther King, Jr.: The Making of a Mind*. Maryknoll, NY: Orbis Books, 1992.

Garrard, Eve, and David Mcnaughton. "In Defence of Unconditional Forgiveness." *Proceedings of the Aristotelian Society (Hardback)*, vol. 103, no. 1, 2003, pp. 39–60. *JSTOR*, doi:10.1111/j.0066-7372.2003.00063.x.

"Journal of Religious Ethics." *Journal of Religious Ethics*, vol. 41, no. 3, 18 July 2013, pp. 377–554., onlinelibrary.wiley.com/toc/14679795/41/3.

McBride, Jennifer M. *The Church for the World: A Theology of Public Witness*. New York: Oxford University Press, 2014.

ENDNOTES

¹ This data comes from the Bureau of Justice Statistics' National Prisoner Statistics Program and shows data from the year 2015.

² From the NAACP's Criminal Justice Fact Sheet: <http://www.naacp.org/criminal-justice-fact-sheet/>.

³ *Ibid.*

⁴ *Ibid.*

⁵ King, *Strength to Love*, 32.

⁶ Niebuhr, *Nature and Destiny of Man I*, 211.

⁷ King, "Where Do We Go from Here?"

⁸ Genesis 1

⁹ Scott, Peter. *The Blackwell Companion to Political Theology*. Malden, Ma.: Blackwell, 2009, 3.

¹⁰ I draw on many other works from each of the theologians. I name here simply the works that are central to most of my arguments.

¹¹ It was the sinful nature of *both* individuals and society that forced Niebuhr to supposedly have remarked that he wished he had named one of his earliest works not *Moral Man and Immoral Society* but, rather, *Immoral Man and His Less Moral Society*.

¹² Bonhoeffer, *Sanctorum Communio*, 127 (quoting Galatians 6.2)

¹³ Niebuhr, *Nature and Destiny I*, 3. Throughout this paper, I will use quotes from the original authors that use terms such as "man" and, occasionally, "Negro," that we now consider outdated. In my own writing, I will be more inclusive with language to reflect modern vernacular. We should acknowledge that, although each of these theologians refers to human beings as "men," each was inclusive in his understanding of social justice.

¹⁴ Niebuhr, *Nature and Destiny II*, 1.

¹⁵ *Ibid*, 12.

¹⁶ *Niebuhr, Nature and Destiny I*, 14.

¹⁷ Martin Luther King, Jr. shared this belief that humans were on a level field between God and the rest of creation. I will comment on this more in chapter 2, but this understanding of the existential space occupied by humans has important implications for the message in his sermon *On being a good neighbor*.

¹⁸ Niebuhr, *Nature and Destiny I*, 182.

¹⁹ Niebuhr, *Nature and Destiny I*, 16.

²⁰ *Ibid*, 184.

²¹ *Ibid.*

²² *Ibid*, 185.

²³ *Ibid*, 181.

²⁴ *Terry v. Ohio*, 392 U.S. 1, 30 (1968).

²⁵ Alexander, *The New Jim Crow*, 106.

²⁶ NAACP Fact Sheet.

²⁷ *Ibid*, 133-4.

²⁸ King will later echo this point about the people who oppress him. In the eyes of King, most police officers do not perpetuate racial profiling with evil intent, but rather, they believe they are keeping themselves and their communities safe.

²⁹ Niebuhr, *Moral Man and Immoral Society*, 5.

³⁰ Niebuhr, *Nature and Destiny I*, 208.

³¹ Niebuhr, *Nature and Destiny I*, 221.

³² *Ibid*, 222.

³³ Romans 3:23, cited and expounded upon at various times by each of the three theologians throughout their theological careers.

³⁴ *Ibid.*

³⁵ Niebuhr, *Nature and Destiny II*, 269.

³⁶ *Ibid*, 209.

³⁷ *Ibid*, 210.

³⁸ *Ibid*, 211.

³⁹ Niebuhr, *Moral Man and Immoral Society*, 119-20.

- ⁴⁰ The notion of implicit bias is important here. Though some may argue that there is no way to “prove” that someone is racist without an admission on that person’s behalf, numerous studies have shown that individuals who have not interacted with people of other races may harbor bias against those people unintentionally. For a survey of studies that look at implicit bias, see the Kirwan Institute’s annual *State of the Science: Implicit Bias Review* at <http://kirwaninstitute.osu.edu/wp-content/uploads/2015/05/2015-kirwan-implicit-bias.pdf>. Pages 9 – 16 on criminal justice are particularly enlightening.
- ⁴¹ Niebuhr, *Moral Man and Immoral Society*, 130.
- ⁴² Alexander, *The New Jim Crow*, 104.
- ⁴³ *McClesky v. Kemp*, 481 U.S. 279, 327 (1989).
- ⁴⁴ *Lockyer v. Andrade*, 538 U.S. 63 (2003).
- ⁴⁵ *McClesky v. Kemp*, 481 U.S. 279, 327 (1989).
- ⁴⁶ Niebuhr, *Moral Man and Immoral Society*, 118.
- ⁴⁷ “The O’Reilly Factor.” In *The O’Reilly Factor*. Fox News. February 10, 2016.
- ⁴⁸ Niebuhr, *Moral Man and Immoral Society*, 120.
- ⁴⁹ 2015 Code of Georgia Chapter 1 - GENERAL PROVISIONS § 43-1-3
- ⁵⁰ *Fighting Crime Through Education*, 46.
- ⁵¹ Alexander, *The New Jim Crow*, 57.
- ⁵² Alexander, *The New Jim Crow*, 94.
- ⁵³ *Ibid*, 94. Citing the Bureau of Justice Statistics.
- ⁵⁴ *Ibid*, again citing the Bureau of Justice Statistics.
- ⁵⁵ Niebuhr, *Nature and Destiny II*, 250. Many politicians today make similar comments with regard to the social safety net in the United States.
- ⁵⁶ *Ibid*, 272.
- ⁵⁷ Niebuhr, *Nature and Destiny I*, 263.
- ⁵⁸ Bonhoeffer, *Sanctorum Communio*, 191.
- ⁵⁹ *Ibid*, 192.
- ⁶⁰ Marsh, *Strength to Love*, 133.
- ⁶¹ King, too, recognized an unwillingness of preachers in his time to confront the pressing issues of injustice that African Americans faced in the Jim Crow south. He lamented that many had been “tempted by the enticing cult of conformity” to “preach comforting sermons and avoid saying anything from our pulpit which might disturb the respectable views of the comfortable members of our congregation.” King, *Strength to Love*, 25.
- ⁶² Marsh, *Strange Glory*, 106.
- ⁶³ Sr. Assistant Professor of Ethics at the Proctor School of Theology.
- ⁶⁴ *Bonhoeffer and King*, 143.
- ⁶⁵ *Ibid*, 108.
- ⁶⁶ *Ibid*, 117.
- ⁶⁷ *Ibid*.
- ⁶⁸ *Ibid*, 282.
- ⁶⁹ *Ibid*, 134.
- ⁷⁰ Marsh, *Strange Glory*, 119.
- ⁷¹ *Bonhoeffer and King*, 145.
- ⁷² *Ethics*, 211-212.
- ⁷³ *Bonhoeffer and King*, 144.
- ⁷⁴ Bonhoeffer, *Sanctorum Communio*, 32.
- ⁷⁵ Important to recall throughout this analysis of Bonhoeffer’s “I-Thou” relationship is the framework within which I am introducing it. Recall that Niebuhr says that social sin is defined by contempt for the other (see page 18) and that here I am defining, using Bonhoeffer’s language, just who that “other” is.
- ⁷⁶ *Ibid*, 30.
- ⁷⁷ Bonhoeffer, *Sanctorum Communio*, 36.
- ⁷⁸ This is a more theologically-developed version of the *communio peccatorum* Bonhoeffer described in *Sanctorum Communio*.
- ⁷⁹ Bonhoeffer, *Ethics*, 193.
- ⁸⁰ *Ibid*, 178.
- ⁸¹ *Ibid*, 193. Emphasis in original.
- ⁸² *Ibid*, 164.

⁸³ See Schliesser, *Everyone Who Acts Responsibly Becomes Guilty*.

⁸⁴ *Ibid*, 84.

⁸⁵ *Ibid*, 86, quoting *Discipleship*. Schliesser's comment here invokes Bonhoeffer's understanding of Jesus' instructions to his disciples from the Sermon on the Mount. Bonhoeffer's understanding of that interaction shapes much of this conversation, and his idea of the disciples' becoming like Christ, or *Imago Christi*, the ultimate destination of the disciples. Emphasis in the text from original.

⁸⁶ Schliesser has a footnote here indicating that here and elsewhere, Bonhoeffer's writing clearly hints that the Jews in Nazi Germany are of particular import for this understanding of ethical behavior. I would add that those who are the victims of our carceral system should be added, too, given their status as "those in prison," the visitation of whom reflects the true righteousness of Christ that is to fill the place of the righteousness that the individual has renounced.

⁸⁷ *Ibid*, 87.

⁸⁸ *Ibid*, 88.

⁸⁹ I will address some ways I believe all individuals can share in the guilt of those in the carceral system in chapter 3, but will briefly discuss them now to show how they can only be accomplished if an individual is truly willing to renounce their dignity to share in the guilt of incarcerated individuals.

⁹⁰ *Ibid*.

⁹¹ *Ibid*, 89. Bonhoeffer's language here about a "purity of heart" is reminiscent of Calvin's idea of creating knowledge of self in order to gain knowledge of God. This might seem paradoxical, as Bonhoeffer discusses not gaining knowledge but *losing* knowledge as the path to cultivating this purity of heart. Bonhoeffer and Calvin seem to be at odds, then, because for Calvin knowledge of God comes only after knowledge of self while for Bonhoeffer we cede our knowledge in order to be filled with the conscience of Christ.

⁹² *Ibid*, 89.

⁹³ *Ibid*, 119.

⁹⁴ *Ibid*.

⁹⁵ *Ibid*, 121.

⁹⁶ *Ibid*, 127.

⁹⁷ *Ibid*, 130.

⁹⁸ Bonhoeffer, *Sanctorum Communio*, 130.

⁹⁹ *Ibid*. Living in this communion of sinners means that every ethical relationship with other humans is necessarily broken, a fact that leads us back to Niebuhr's notion of inevitable sinful relationships.

¹⁰⁰ *Ibid*, 133-134.

¹⁰¹ Bonhoeffer, *Sanctorum Communio*, 31.

¹⁰² *Ibid*.

¹⁰³ Bonhoeffer, *Ethics*, 146.

¹⁰⁴ *Ibid*, 156.

¹⁰⁵ *Ibid*, 147.

¹⁰⁶ Several scholars have noted the difficulty of translating this word directly into English. Christine Schliesser has done extensive study of this notion of "one who takes the place of another," and argues that the *sanctorum communio* is in fact based in this understanding of Christ's relationship with humanity. The most commonly-used translation of *Stellvertretung* is "vicarious representative action," and that terminology will be used throughout my conversation incurring guilt.

¹⁰⁷ Bonhoeffer, *Ethics*, 162.

¹⁰⁸ *Ibid*, 161.

¹⁰⁹ *Ibid*, 166

¹¹⁰ Schliesser, *Everyone Who Acts Responsibly Becomes Guilty*, 181.

¹¹¹ Bonhoeffer, *Sanctorum Communio*, 80.

¹¹² *Ibid*.

¹¹³ Niebuhr, *Nature and Destiny II*, 269.

¹¹⁴ Wolterstorff, *States Forgiving*, 431.

¹¹⁵ I refer, of course, to the notion of a "victimless crime," in which the only entity that is "harmed" by the crime is the state itself, very possibly a pretension of power that Niebuhr himself lamented.

¹¹⁶ Wolterstorff, *States Forgiving*, 431.

¹¹⁷ Niebuhr, *Nature and Destiny II*, 269.

¹¹⁸ This distinction has important implications for the discussion of forgiveness, even though it has been cast in the language of punishment, the opposite of forgiveness. If states forego their right to punish individuals, they can start to promote a societal good that outweighs any good that incarceration might bring.

¹¹⁹ Bonhoeffer, *Ethics*, 194.

¹²⁰ Marsh, *Strange Glory*, 285.

¹²¹ King first encountered Niebuhr's thought while at Crozer Theological Seminary in 1949. He wrote several papers on Niebuhr's thought, and consulted Niebuhr while working on his doctoral thesis. King wrote to Niebuhr asking him to participate in the march from Selma to Montgomery, and only a severe stroke kept Niebuhr from accepting the offer. <https://kinginstitute.stanford.edu/encyclopedia/niebuhr-reinhold>.

¹²² *Bonhoeffer and King*. Stephen G. Ray, Jr. provides an excellent commentary on these two influences on King's theology. He also notes the profound impact Reinhold Niebuhr had on King, especially in curbing his tendency toward the Social Gospel writings of Walter Rauschenbusch and others.

¹²³ *Ibid*, 170.

¹²⁴ *Ibid*, 171.

¹²⁵ Ray is the Neal F. and Ila A. Fisher Professor of Theology at Garrett-Evangelical Theological Seminary in Evanston, Illinois.

¹²⁶ *Bonhoeffer and King*, 172.

¹²⁷ Alexander, *The New Jim Crow*, 54, 105. Alexander points to such media bias as the Willie Horton campaign ad of President George Bush Sr., which depicted a black man who escaped prison while on work-release and murdered a young woman. She also highlights the shift from media depictions of white, middle class people snorting cocaine to the framework of an "us against them" mentality used by network television in the mid-1980s. The "us" was white, suburban America while the "them" were nonwhite users of cocaine.

¹²⁸ I will explore the possibility that this is the case later in a discussion of King. Niebuhr clearly believed that all individuals were sinful, but many individuals, he also believed, did not self-consciously discriminate against lower classes.

¹²⁹ *Ibid*, 92-93. Alexander gives details of at least 5 judges, most of whom were "considered fairly harsh sentencer(s)", each of whom had moral qualms with the sentences they were forced to impose. One judge broke down in tears when he sentenced an individual who had, supposedly, given a ride to a drug dealer to ten years in prison without parole.

¹³⁰ "Letter from a Birmingham Jail."

¹³¹ Niebuhr, *Moral Man and Immoral Society*, 132.

¹³² "Letter from a Birmingham Jail."

¹³³ Johnson, Corey. 2015. "[Bryan Stevenson on Charleston and Our Real Problem with Race.](#)" The Marshall Project. (11 pages).

¹³⁴ *Ibid*.

¹³⁵ *Ibid*.

¹³⁶ King, *Strength to Love*, 42.

¹³⁷ Scarre, *Political Reconciliation, Forgiveness, and Grace*, 173.

¹³⁸ *Ibid*, 174. To forgive someone is to acknowledge, first, that they have done something wrong. But in this case, the state would be acknowledging the wrong of the forgiven individual, that is, the incarcerated person, without also acknowledging its own wrong in incarcerating that individual because of either discriminatory practices, unjust sentencing, or some combination thereof.

¹³⁹ See, for instance, the September 2013 focus issue of the *Journal of Religious Ethics*, which collected a series of essays centered around forgiveness.

¹⁴⁰ *Ibid*, 179.

¹⁴¹ King, *Strength to Love*, 51.

¹⁴² *Ibid*.

¹⁴³ Scarre, *Reconciliation*, 179.

¹⁴⁴ King, *Strength to Love*, 51.

¹⁴⁵ See Wolterstorff and others for the just use of incarceration as a "hard treatment" of individuals for the purpose of deterrence, rehabilitation, or protection. He says that using incarceration for these reasons is inherently forward-looking, doing good both for society and for the individual.

¹⁴⁶ *Ibid*.

-
- ¹⁴⁷ King, *Strength to Love*, 41.
¹⁴⁸ King, *Strength to Love*, 53.
¹⁴⁹ *Ibid.*
¹⁵⁰ *Ibid.*, 40.
¹⁵¹ Niebuhr, *Nature and Destiny I*, 208.
¹⁵² *Ibid.*, 214.
¹⁵³ *Ibid.*, 219.
¹⁵⁴ *Ibid.*, 222.
¹⁵⁵ Bonhoeffer, *Ethics*, 178.
¹⁵⁶ *Ibid.*, 158.
¹⁵⁷ *Ibid.*, 191.
¹⁵⁸ *Ibid.*
¹⁵⁹ King, *Strength to Love*, 34.
¹⁶⁰ *Ibid.*, 35.
¹⁶¹ *Ibid.*
¹⁶² *Ibid.*
¹⁶³ King, *Where Do We Go From Here: Chaos or Community*, 191.
¹⁶⁴ King, "Letter from a Birmingham Jail."
¹⁶⁵ King, *Where Do We Go From Here*, 196.
¹⁶⁶ *Ibid.*, 197.
¹⁶⁷ *Ibid.*, 34.
¹⁶⁸ *Ibid.*, 35.