

Prison as a Sacrament of Freedom:
Prison Abolition, the Theology of the *Church Dogmatics*,
and Karl Barth's Sermons inside Basel Jail

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I. Introduction (optional)

————— It is an honor to be in *die Schweiz*. My father taught me to ski at Grindelwald in 1987 and we climbed the Eiger together in 2003. In the spirit of taking one's children on life and death adventures in the Swiss Alps, I brought my daughter to a Karl Barth conference in Basel. It is wonderful to be here with her and she is especially grateful that you have put us up at the lovely Hotel Odelya. For after I climbed the Eiger with my father, my wife and I spent a week living under a picnic table at a local climbing crag in Wengen, sometimes under heavy rains. So this is the kind of accommodations I usually share with the ones I love. I will also say that, for me, of my handful of Swiss adventures Barth has been the most challenging and rewarding climb. I myself am delighted to be in your company. I beg of you, as the sole North American participant at this conference, not to hold my flaws and failures against all the other fine theologians and Barthians there. I am sure they are even more surprised than I am that I was invited. Again, thank you and I am grateful that I can trust in your ability to understand my English, even my *American* English.

————— We are here to consider the future of the church's proclamation to the world, the unique nature of evangelical preaching, and indeed to ponder the very essence of that curious thing called the sermon. *What* ought preachers *do*? *Why* ought the church proclaim? *How* can the *εὐγγέλιον* be shared? These are questions, biographically and systematically, that circumscribe the life and thought of Karl Barth. We are wise to go to him for clarification, conversation, and a compass bearing. In America, when such questions get raised we generally consult an advertising agency for a new marketing campaign. I consider Barth's theology to be the more useful choice.

————— I have been invited to speak in reference to what we might learn from Barth's prison sermons, delivered just down Spitalstrasse at the Baseler Gefängnis. What can these sermons tell us? Why did they take place? How can they clarify the proclamation of the *εὐγγέλιον*? I also want to reflect on Barth's sermons alongside a wide variety of material from a course I have locked myself into for the past decade: *Imprisoned Minds: Philosophy and Religion from Jail*, which covers jailed authors from the Bible and Socrates to the Gulag and Guantanamo Bay. I have also been inspired by my own experiences of going to jail. So even as we are in Switzerland sitting in Barth's old lecture

~~halls breathing in his hometown air, I would like to begin with an American story, a true one, that takes place during the 1950's civil rights era.~~

II. Some Safe Haven

On the evening of January 26th 1956, Martin Luther King was driving home from Dexter Avenue Baptist Church in Montgomery, Alabama, when he noticed he was being followed by two police officers on motorcycles. Reverend Dr. King had been pastor of the church for just over a year and, seeing he was being tailed, gave extra attention to driving “slowly and meticulously.” The Montgomery Bus Boycott was in full swing and he was squarely in the sights of Montgomery’s white leadership which was responding with a “Get Tough” campaign to discourage protests and regain the segregationist *status quo*. This municipally-endorsed response would soon lead to multiple bombings and deaths. Within a year, King’s home, Rev. Ralph Abernathy’s home, the First Baptist Church, The Bell Street Baptist Church, and Mount Olive Baptist Church of Montgomery would all be bombed as vigilantes sought to “get tough” against King and the church-nurtured roots of their civil rights struggle. On that night in January, when King stopped his car to let out boycotters and passengers, the police pulled up, identified him as “that damn King fellow,” and announced, “Get out, King; you are under arrest for speeding thirty miles an hour in a twenty-five mile zone.” Once a squad car arrived, King was stuffed, not too gently one suspects, into the back seat. Forgoing a mere warning or a ticket, King was immediately arrested. They set off for the county jail. As the police circled and meandered through back streets “farther from the center of town,” seemingly away from the jail, “a feeling of panic began to come over me,” recalled King. Increasingly he feared for his life. Perhaps the police were taking him out of town to dump him or to hand him over to a white lynch mob? He prayed: “I asked God to give me the strength to endure whatever came.” Just as he was sure he was about to meet his death under some “desolate old bridge,” he saw they were approaching the jail. “I was so relieved that it was some time before I realized the irony of my position: going to jail at that moment seemed like going to some safe haven!”¹ Relief at being alive soon gave way to colder realities. “I was led to a dingy and odorous cell,” King recalled. “As the big iron door swung open...gusts of emotion

¹ Martin Luther King, Jr., *Stride Toward Freedom* (NYC: Harper & Row, 1958), 127-128.

swept through me like cold winds on an open prairie. For the first time in my life I was thrown behind bars.”²

Dr. King was released later that same night on cash bail. But not a month later, on Wednesday, February 22, 1956, he returned to that same jail with over a hundred fellow protesting bus boycotters. Montgomery had announced that mass arrests would commence in response to violations of arcane anti-boycotting laws and in just a few weeks the spirit of Montgomery had changed dramatically. Of February 22, 1956, King recounts:

With Ralph and my father, I set out for the county jail, several of my church members following after. At the jail, an almost holiday atmosphere prevailed. On the way Ralph Abernathy told me how people had rushed down to get arrested the day before. No one, it seems, had been frightened. No one had tried to evade arrest. Many Negroes had gone voluntarily to the sheriff’s office to see if their names were on the list, and were even disappointed when they were not. A once fear-ridden people had been transformed. Those who had previously trembled before the law were now proud to be arrested for the cause of freedom. With this feeling of solidarity around me, I walked with firm steps toward the rear of the jail.³

Although King was not the first civil rights activist to be intentionally jailed,⁴ King learned for himself that going to jail could be a spirited journey of musical joy, beloved community, and, paradoxically, freedom. He began preaching a gospel of “fill the jails.” Inspired by such courage and the impact it was making, thousands of Blacks across the American South marched and sang, “I ain’t scared of your jail.”⁵ School children filled cells. And even when some were in solitary confinement, as King was on Easter Saturday in Birmingham, they often realized, “I was not alone. God was my cellmate.”⁶ In the prisons of American

² King, *Stride Toward Freedom*, 129.

³ King, *Stride Toward Freedom*, 146.

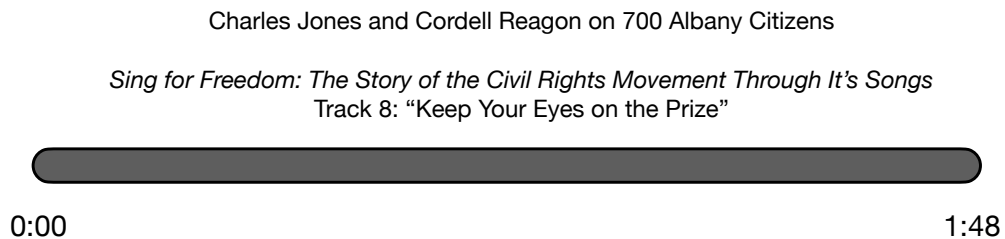
⁴ That honor goes to Claudette Colvin who had been arrested on March 2, 1955 for refusing to move to the back of a segregated bus. Only fifteen and pregnant, Claudette was deemed too young and her situation too complicated for her to serve as a public plaintiff for such a test-case. Rosa Parks’ arrest and jailing on Dec. 1, 1955 became the public, if impromptu, spark for the public Montgomery boycott. For her full account, see Rosa Parks with Jim Haskins, *Rosa Parks: My Story* (NY: Scholastic, 1992), especially 108-124.

⁵ Lester Cobb, *I Ain’t Scared ‘A Your Jail* in *Sing for Freedom*, ed. by Guy and Candie Caravan (Montgomery: New South, 2007), 136.

⁶ Martin Luther King, Jr. *Autobiography*, ed. by Clayborne Carson (NY: Grand Central, 2001), 186.

racism, many found unity with God and with each other in witness to a dream. Consider this recorded witness from Albany, Georgia, in 1961.⁷

[Insert *Figure 1*]



The civil rights tactic of filling the jails became so successful that by 1961, the police chief of Albany, Georgia, became determined not to hold King and his more famous colleagues in an effort to undercut their narrative of persecution. King recounts police chief Laurie Pritchett's response to his being arrested as, "God knows, Reverend, I don't want you in my jail."⁸ And while King admits that he had not "particularly enjoyed the inconveniences and the discomforts of jail"⁹ he was frustrated about being refused while over seven hundred of his fellow protesters were locked up. King remembers, "We had witnessed persons being kicked off lunch counter stools during the sit-ins, ejected from churches during the kneel-ins, and thrown into jail during the Freedom Rides. But for the first time, we witnessed being

⁷ Transcript: "Doctors and lawyers and teachers and domestics walked together into jail and got to know each other in the cells as they sat next to each other and felt, breathed and slept the passion that they had about them and their desires to be free. But more than that, they came to know each other as people, and not as classes, not as a doctor, not as a doctor's wife, not as a domestic, but as a person. And in the cells that housed some seven hundred of Albany citizens, grew the bond of togetherness which has characterized Albany more than anything else." "They were there, unifying themselves as one, getting to know each other. And we come back to the community and it's not the same anymore. You find people walking together, talking together—people who'd never think they'd speak to this person or that person." Charles Jones and Cordell Reagon, Audio Recording: *Keep Your Eyes on the Prize on Sing for Freedom: The Story of the Civil Rights Movement Through It's Songs* (Smithsonian Folkways, 1990).

⁸ King, *Autobiography*, 159.

⁹ King, *Autobiography*, 159.

kicked out of jail.”¹⁰ Yet the unpredictability and frequency of such incarcerations had already made King conclude, as he said writing from Reidsville State Prison in Georgia following his arrest at an Atlanta sit-in in 1960, “This is the cross that we must bear for the freedom of our people.”¹¹ In protest against racial segregation, being jailed was thus viewed by King and the movement as a public faith witness to the harmony of a beloved community. In the eyes of historian James Melvin Washington, King and company were “in jail for a righteous cause” and thus celebrated “the sacrament of imprisonment.”¹²

III. A Brief History of Sacraments

The “sacrament of imprisonment” is a highly tendentious term, but we will take it seriously. Thus, this work intends to affirm, defend, and expound Washington’s call for the recognition of a new sacrament.

What are sacraments? Historically, sacraments have been understood generically as “an outward and visible sign of an inward and spiritual grace given unto us, ordained by Christ Himself.”¹³ This definition was influenced heavily by St. Thomas Aquinas who argued that a sacrament is a “sign of a holy

¹⁰ King, *Autobiography*, 159.

¹¹ Martin Luther King, Jr., *The Papers of Martin Luther King, Jr., Vol. V*, ed. by Clayborne Carson (Berkeley: U. California Press, 2005), 531. See also: David Garrow, *Bearing the Cross* (NYC: HarperCollins, 1986), 7, 143-149.

¹² James Melvin Washington, *Introduction to Letter from Birmingham Jail* in *I Have a Dream: Martin Luther King, Jr. Writings and Speeches that Changed the World*, ed. by J.M. Washington (New York: HarperOne, 1986), 83. See also Washington’s *Conversations with God: Two Centuries of Prayers by African Americans* (NY: HarperPerennial, 1994), xxxiv. A dozen years after referring to King’s Birmingham imprisonment as a sacrament, Washington would describe how, in 1970, “I found myself undergoing the humiliations of the sacrament of imprisonment, in jail for a righteous cause.” Washington had been arrested for carrying an anti-war sign protesting the Vietnam War while President Nixon visited the University of Tennessee. Elsewhere Washington argued, “Waiting is a sacrament. It is a discipline. It is not some namby-pamby acquiescence. It is about learning how to hang in there with tough love, even when it seems there is not evidence.” See *The Courage to Hope: From Black Suffering to Human Redemption*, ed. by Quinton Hosford Dixie and Cornell West (Boston: Beacon, 1999), 70-71. Upon Washington’s premature death, Cornell West called him a lifelong “prisoner of Christian hope” and notes Washington’s use of the term: “He often talked and wrote about the sacrament of waiting—a major motif in his own prayers as well as the Black prayers he documented and interpreted. Cornell West, *The Courage to Hope*, 226-227.

¹³ The Church of England’s, *Catechism of Book of Common Prayer*

thing so far as it makes men holy.”¹⁴ It was Augustine who argued succinctly and influentially that sacraments were a material and “visible form of an invisible grace” or a “sacred sign of an invisible sacrifice,”¹⁵ a definition that both Luther and Calvin would eventually affirm. While myriad understandings of each of the sacraments have been articulated there is nonetheless a common assumption that some acts, along with their corresponding material “signs,” are employed by God, owing to the fact that as Augustine famously put it, “the word is joined to the element and the result is a sacrament.”¹⁶ It was Tertullian, the “founder of Western theology”¹⁷ and the first Christian theologian to write in Latin, who somewhat oddly adopted *sacramentum* (a pledge, oath, or deposit—typically a military or legal one) to translate the Greek term *mysterion*, a word which does have New Testament usage and which means a *secret*, *secret rite*, *secret teaching*, or *a mystery*. Since the sacraments were traditionally defended as such because they were instituted by Christ himself, it is worth noting that Jesus uses *mysterion* in its only appearance in the Gospels (Mt 13:11, Mark 4:11, Luke 8:10) though neither in a sense resembling what we know of a ritualistic ceremony, nor in reference to any of today’s commonly practiced sacraments. His use regards his teaching in parables, as seen for instance in Mark 4:11, *And he said to them, “To you has been given the secret [mystery/μυστήριον] of the kingdom of God, but for those outside, everything comes in parables.”* In the Pauline letters, *mysterion* is more common but also employed with a usage at odds with, or at least widely variant from, later formulations. Moreover, *mysterion* is not applied by Paul when he introduces “For what I received from the Lord I also handed on to you” (1 Cor. 11:23), the current archetype of the sacraments, the Lord’s Supper. In only one case does Paul apply *mysterion* to what is currently considered a sacrament, this being marriage in Eph. 5:31-32. Yet in evidence of the complexity of these matters, marriage is not normally accepted as a sacrament by most Protestant denominations. Even more problematic for a general theology of sacraments, is that

¹⁴ Thomas Aquinas, *Summa Theologiae*, III Q.60 Art. 2 <https://www.newadvent.org/summa/4060.htm#article2>

¹⁵ Augustine, *City of God*, trans. by Marcus Dods (NYC: Modern Library, 1993), 308.

¹⁶ Maxwell Johnson, *Sacraments and Worship* (Louisville: WJK, 2012), 2, 39.

¹⁷ T.R. Glover quoting H.B. Swete in *Tertullian: Loeb Classical Library, Vol. 250* (Cambridge, MA: Harvard, 1998), ix.

while the New Testament does advocate for baptism and commend the celebration of the eucharist, it does not bring these distinct acts together under the single concept of sacrament. As Bruce McCormack has noted, “It is not just that the two are not brought together under the heading of ‘sacrament’; they are not brought together at all. The two rites are simply allowed to stand alongside of each other, each in its own distinctiveness.”¹⁸ Much more could be said, and has been, but it is clear the New Testament does not offer a succinct theology of “the sacraments,” the theology of which has been a fluctuating bundle of affirmations and rejections.

Any present day demarcations of the sacraments, whether we recognize the Catholic seven or the Protestant two, are further problematized by the realization that many more sacraments have been proposed and practiced throughout the history of the church. Augustine, for instance, argued that the multi-day celebration of Easter was itself a sacrament, saying “But there is a sacrament in any celebration when the commemoration of the event is done in such a way as to make us understand that it signifies something that is to be taken in a holy manner.”¹⁹ Hugh of St. Victor, with his *de Sacramentis*, (~1134) argues for as many as thirty sacraments. Hugh’s reading of the “mysteries of the faith” is heavy on allegory and as a systematic treatment of the relation between signs and things signified, Hugh argues for the mysterious (and thus *sacramental*) significance of many material objects (the nature of light, priestly vestments, palm branches, and sacred vessels for example) as well as the sacramental action of many immaterial domains (faith, natural law, creation, and angelic free will to name a few).²⁰ Nevertheless Hugh’s “so fitting and perfect” definition that, “A sacrament is a corporeal or material element set before the senses without, representing by similitude and signifying by institution and containing by sanctification some invisible and spiritual grace”²¹ becomes technically normative for the seven later chosen by

¹⁸ Bruce McCormack, unpublished lecture on baptism, Princeton Theological Seminary, March 28, 2013.

¹⁹ Augustine, *Letter 55 to Januarius* in M. Johnson, 3-4.

²⁰ Hugh of St. Victor, *de Sacramentis*, trans. by Roy Deferrari (Jackson, MI:Ex Fontibus, 2016)

²¹ Hugh of St. Victor, *de Sacramentis*, 155.

Lombard, defended by Thomas Aquinas (*Tertia Pars*, Q.62, Art.3), and approved by the Councils of Florence (1438-45) and Trent (1545-63).

It was with Peter Lombard's *Sentences* (~1150) that we first find the codified Catholic list of seven sacraments, these being Baptism, Confirmation, Eucharist, Penance/Reconciliation, Marriage, Ordination, and Anointing of the Sick/Extreme Unction.²² And while Thomas Aquinas defends Hugh of St. Victor's definition, he applies it only to Lombard's chosen seven, effectively on the basis that "it is becoming that there should be seven."²³ Martin Luther argued vehemently in his 1520 *Babylonian Captivity of the Church*: "I must deny that there are seven sacraments, and for the present maintain that there are but three: baptism, penance, and the bread. All three have been subjected to a miserable captivity by the Roman curia, and the church has been robbed of all her liberty."²⁴ Later, Luther would exclude penance and settle on two even though, like Barth in *CD II.1*, Luther further oscillates on a proper designation for the term. In referencing the Vulgate of 1Tim.3:16 when Christ is called himself the *sacramentum*, Luther explains, "Yet, if I were to speak according to the usage of the Scriptures, I should have only one single sacrament but with three sacramental signs."²⁵ For his part, John Calvin argued there were over a dozen Old Testament sacraments, but that in the time following Christ, we should reject five of the Roman Catholic seven and affirm only Eucharist and baptism as "ordinary sacraments."²⁶ What, one wonders, might an *extraordinary* sacrament be? Like Luther, Calvin struggled to decide upon only two and was not overtly opposed to the idea that ordination by "laying on of hands" was also a sacrament,²⁷ though he felt Eucharist and baptism alone were *ordained by Christ with a promise* to "sustain, nourish, confirm, and

²² Peter Lombard, *Sentences, Book 4*, trans. by Giulio Silano (Toronto: PIMS, 2010), 9.

²³ Aquinas, *Tertia Pars, Q. 65, Art. 1*. <https://www.aquinas.cc/la/en/~ST.III.Q65.A1>

²⁴ Martin Luther, *Selected Writings of Martin Luther: 1517-1520*, ed. by Theodore G. Tappert (Philadelphia: Fortress, 1967), 370.

²⁵ Luther, 370.

²⁶ John Calvin, *Institutes of the Christian Religion*, trans. by Ford Lewis Battles (Philadelphia, PA: Fortress Press, 1960), 1295.

²⁷ Calvin, 1296.

increase our faith.”²⁸ And so the Reformers, after lodging much argument and many opprobrium against the Catholics, succeeded in reducing the concept down to two particular practices, because as the later *Westminster Confession of Faith* (1646) proclaimed so confidently, “there be only two sacraments ordained by Christ our Lord in the Gospel.”²⁹ Can we improve on these lines of thought? I think so. Barth clearly did too.

IV. Opening the Door to a New Sacrament

“The sacrament of imprisonment”: what could Barth’s theology, as both articulated in the *Church Dogmatics* and exemplified in his prison sermons, offer regarding such a designation? And how foolish would it be to try and defend a new sacrament? Before we articulate prison-going as veritable sacrament, let us transition with just a few words of what I dare call Barth’s sacramentology, though that phrase is likely to strike many familiar with Barth as contentious.

1. It is exactly because of Barth’s rejection of natural theology, his undermining of substance ontologies, his rejection of an *anologia entis*, his evacuation of priestly and ecclesiological power, his denial of a theology of merit, his deflation of the sanctified as being holier than the sinner, and his emphatic *Nein* against divinely sanctioned nationalisms that a positive and systematically rebuilt sacramentology is possible. The Barth of the *Church Dogmatics* so thoroughly reframes trinity, election, revelation, the being of God as act in freedom, eternity, time, ecclesiology, the being of humanity, justification, and ethics, that this allows for new resources for new understandings of the old sacraments. Yet, within the *CD* there are also new resources for old understandings of new sacraments, one of which is in-fact no new practice: the presence of Christians in jail. Barth’s prison sermons exemplify some aspects of what this looks like in practice.

²⁸ Calvin, 1281.

²⁹ G.I. Williamson, *The Westminster Confession of Faith* (Philadelphia: Presbyterian and Reformed Publishing Company, 1964), 202.

2. Barth remarks in his Preface to the *CD* IV.4 fragment regarding his “radically new view” of baptism that “Calvin did not scrutinize sharply and hence did not remove” the “concept of ‘sacrament.’”³⁰ This might lead us to believe that Barth could not use the term. And yet, though he seeks to rethink the very foundations of sacramental theology, and indeed all Christian theology, he proclaimed, “We can say quite simply that revelation means sacrament” and “the basic reality and substance of the sacramental reality of His revelation, is the existence of the human nature of Jesus Christ.”³¹ Much later in the *CD*, even as this Christological focus stands, indeed because of it, Barth is interested in suggesting a way in which baptism by water “as man’s liturgical work” is “the foundation of the Christian life.”³² The “foundation”! This is no small role and should be evidence of the positive direction Barth wished to take his reformed sacramentology.
3. Like Barth’s surprisingly positive redefinition of the term “Christendom” in §62 *The Holy Spirit and the Gathering of the Christian Community*,³³ a fully reformed theology of the sacraments can emerge from the *Kirchliche dogmatik*. In his own way, with *Römerbrief* onward, Barth thus crucifies traditional sacramental theology only then to resurrect some aspects anew. Along with a newly-conceived program for the Eucharist or baptism, Barth’s positive theological vision has the means to articulate (we might say, “through the power of the Holy Spirit”) a christocentric rationale for prayer-going as one of “the various practical aspects of Christian life under the guidance of the Lord’s prayer.”³⁴ While Barth need not make a set list of sacramental activities necessary for salvation, say in the style of Lombard, Aquinas, or Calvin, nevertheless a table has been set to see some particular and long-standing proclamatory activities as quintessential Christian practices ordained by God to be recognized in faith by the church. Such practices promise to be

³⁰ Barth, *Church Dogmatics* IV.4, ed. by Bromiley and Torrance (Edinburgh: T&T Clark, 1956-1969, 1975) ix.

³¹ Barth, *CD* II.1, 52-53. For Barth’s evaluation of the history of the term, *sacramentum*, see *CD* I.2, 226-232.

³² Barth, *CD* IV.4, ix.

³³ Barth, *CD* IV.1, 643ff.

³⁴ Barth, *CD* IV.4, ix.

invitations toward people and places so that Christ can meet us there.³⁵ Yet, this is presumably why sacraments were instituted in the first place, and they have been repeatedly understood as a means of grace to existentially encounter Christ and know Him as Lord.

Per this last point, it is worth emphasizing that the church has met the Lord in prison and had its faith sustained, nourished, confirmed, and increased by the many Christian thinkers, and the many more people beyond the church (how many have experienced, like Aleksandr Solzhenitsyn's lamblike gasp upon his arrest, the shock of "Me? What for?"³⁶) who have been (or are) in prison. From Dietrich Bonhoeffer to Corrie ten Boom; from Aquinas to Luther to John Knox; from Marguerite Porete to John Bunyan; from the Apostle Paul to the martyr Perpetua; from Joseph to Jesus to John of the Revelation; from Boethius to Simone Weil, who writes: "Others. To see each human being (an image of oneself) as a prison in which a prisoner dwells, surrounded by the whole universe."³⁷ With such company, let us consider what the sacrament of imprisonment might look like.³⁸

V. Four Aspects of the Sacrament of Imprisonment and Barth's Theology

Let us be clear. Nowhere, at least to my knowledge, does Barth explicitly call for what I am suggesting, the recognition of prison-going as sacrament. And yet, within Barth's theology of the *Church Dogmatics* and his prison sermons, we see exemplified and manifested, if not intentionally articulated, how going to jail "for Christ" and "with Christ" might be seen to clear the traditional boundaries of demarcation, thus

³⁵ See my companion piece, *God Meets Us There: Prison as True Home for the Christian Comparative Theologian* in *Wiley Blackwell Companion to Comparative Theology* (Malden, MA: Wiley, 2024), 411-418.

³⁶ Aleksandr Solzhenitsyn, *The Gulag Archipelago, 1918-1956 Volume I*, (New York: Harper & Row, 1973), 4.

³⁷ Simone Weil, *Gravity and Grace* (London: Routledge, 1999), 134.

³⁸ In the contemporary American legal system, being in "jail" and being in "prison" are technically different. "Jail" is used to refer to incarcerations of less than a year and to the initial holding site after individuals are arrested. Prisons are for convicted individuals serving sentences of longer than a year. While recognizing this distinction, I will use the terms "prison" and "jail" widely and interchangeable to shorthand jails, prisons, detention centers, concentration camps, holding cells, "the pit," and/or sites of forced labor in which individuals are physically restrained, bodily constrained, and/or geographically detained.

standing to be recognized by the Christian church as a signature public faith practice meant to “sustain, nourish, confirm, and increase our faith.” From our vantage point post-Barth, we can see how Barth shows us with a good deal of words in the *Church Dogmatics* and the particular style of his prison preaching, how imprisonment *for* and *with* Christ, could be recognized as new sacrament. Working from this perspective we could propose the sacrament of imprisonment as being composed of the following four aspects of 1) Proclamation, 2) Humanitarian Protection, 3) Protest, and 4) Persecution. And even though I will attempt to distinguish these as multiple and independent rationales for prison going, given the unique historical, theological, political, and cultural settings of any such act, it is also plausible that many carceral experiences would qualify on a number, or even all, of these fronts simultaneously. Recall that Washington sums up the sacrament of imprisonment as being “in jail for a righteous cause” and it was indeed often the case during the civil rights era that these four aspects overlapped at once.

1) Pastoral Presence and Proclamation as Sacrament: When done under the motivation of bringing good news “to proclaim release to the captives,” the long-standing Christian practice of pastoral prison presence and ministry ought to be understood as a unique form of the sacrament of imprisonment. The archetype here is Christ himself, and his command to follow the Father’s missional mandate: “He has sent me to proclaim release to the captives...to let the oppressed go free” (Lk 4:18).

In Barth’s sermons, proclamation is clearly the prime motive. However, this proclamation is rooted in something other than a holy righteous man preaching to sinners with the aim of converting them to the Christian religion, a tradition well established in the prison ministries of American fundamentalism, and painfully portrayed by the warden, Samuel Norton, in *The Shawshank Redemption*. The foundation of Barth’s motives is evident in these remarkable lines from his Good Friday (1957) sermon, *The Criminals with Him*:

They crucified him with the criminals. Do you know what this implies? Don’t be too surprised if I tell you that this was the first Christian fellowship, the first certain, indissoluble and indestructible Christian community. Christian community is manifest wherever there is a group of people close to Jesus who are with him in such a way that they are directly and unambiguously affected by his promise and assurance. These may hear that everything he is, he is for them, and everything he

does, he does for them. To live by this promise is to be a Christian community. The two criminals were the first certain Christian community.³⁹

It is delightful that Barth includes not just one, but *both* criminals in this “first certain Christian community” for while the one acknowledges Christ’s innocence in a sort of confession of faith, the other hurls ridicule and shame in a mocking rejection of disbelief. Yet both are included. In fact, given Barth’s doctrine of universal election and the historicized justification that achieves salvation for all by the faith of Christ, Barth has given us a coherent way to understand Christ’s dying claim, “Truly I tell you, today you will be with me in Paradise” as being directed not just to the one who acknowledges “this man has done nothing wrong” (Lk.23:41) but to the other, who “kept blaspheming him saying, ‘Are you not the Messiah? Save yourself and us!’” (Lk.23:41).⁴⁰ True to his articulation of election (*CD* II.2 §33) and *The Judge Judged in our Place* (*CD* IV.1 §59.2) Barth is able to summarize simply in the Basel jail, “This is reconciliation: his damnation our liberation.”⁴¹

Yet, Barth’s broader theology establishes that our liberation is not simply personal, individual, or private, but in great part communal. It is our liberation to proclaim Christ’s freedom to others. Just as “our Lord Jesus Christ” has been “imprisoned that we may be free”⁴² so too Barth thinks it essential to be inside the prison walls because that is where the freedom of Christ is most thoroughly recognized. This is far different from a preacher going inside with of high-spirited charity, pity, and good will towards the “wretched” of the earth, all the while “unaware that they themselves are prisoners.”⁴³ For even if we cannot gauge how this point was received rhetorically by the residents themselves,⁴⁴ Barth was compelled to put himself alongside the incarcerated saying, “you prisoners here and we people outside,

³⁹ Barth, *Deliverance to the Captives*, (NY: Harper & Row 1978), 77.

⁴⁰ Matthew’s Gospel recounts both hurl insults, “The bandits who were crucified with him also taunted him in the same way.” Mt.28:44.

⁴¹ Barth, *Deliverance*, 80.

⁴² Barth, *Deliverance*, 75.

⁴³ Barth, *Deliverance*, 43.

⁴⁴ Thanks to Sarah Jobe’s insights on this point gleaned from many years of her prison ministry. See *The Incarcerated Christ* in *The Journal of Theological Studies*, April 2025

who in our own way are one and all prisoners as well"⁴⁵ have in Christ come to see that "the door of our prison *is open*."⁴⁶ Prison thus affords an opportunity to see not just the truth about others, but the truth about ourselves. Let us say a word about this form of "knowing."

This first-person subjective encounter with others and the truth of ourselves is the truest form of knowing. This *qualia*, according to philosopher's such as Thomas Nagel, John Searle, and Michael Polanyi is *real* knowledge.⁴⁷ In the language of Martin Buber, this I and Thou is a fundamental opportunity to realize the self in and with the other. "The You encounters me by grace" prophecies Buber. Buber elaborates, "I require a You to become; becoming I, I say You. All actual life is encounter."⁴⁸ Likewise, in the prison notebooks of Emmanuel Levinas, published as *Time and the Other*, we find that "Solitude is the absence of time" whereas "the other is the future."⁴⁹ For Levinas we are stuck in a present until the other draws us forward. "Time *given*" is alone real time. As Levinas reasons, "the very relationship with the other is the relationship with the future."⁵⁰ Like those above Kierkegaard and

⁴⁵ Barth, *Call for God* (NY: Harper & Row, 1967), 65.

⁴⁶ Barth, *Deliverance*, 40.

⁴⁷ For instance, Nagel: "So what explains the existence of organisms like us must also explain the existence of mind. But if the mental is not itself merely physical, it cannot be fully explained by physical science.[...]A genuine alternative to the reductionist program would require an account of how mind and everything that goes with it is inherent in the universe." Thomas Nagel, *Mind and Cosmos* (Oxford, 2012), 14-15. Searle: "Conscious experiences have a qualitative aspect. There is a qualitative feel to drinking beer, which is quite different from the qualitative feel of listening to Beethoven's Ninth Symphony. [...] The term for qualitative states is "qualia"[...] Qualia really exist, so any theory like functionalism that denies their existence, either explicitly or implicitly, is false." John Searle, *Mind* (Oxford: OUP, 2004), 84. Polanyi: "Such is the *personal participation* of the knower in all acts of understanding. But this does not make our understanding *subjective*. Comprehension is neither an arbitrary act nor a passive experience, but a responsible act claiming universal validity. Such knowing is indeed *objective* in the sense of establishing contact with a hidden reality; a contact that is defined as the condition for anticipating an indeterminate range of yet unknown (and perhaps yet inconceivable) true implications. It seems reasonable to describe this fusion of the personal and the objective as Personal Knowledge." Michael Polanyi, *Personal Knowledge* (University of Chicago, 1974), vii-viii.

⁴⁸ Martin Buber, *I and Thou*, trans. by Walter Kaufmann (NY: Touchstone, 1970), 62.

⁴⁹ Emmanuel Levinas, *Time and the Other*, trans. by Richard Cohen (Pittsburgh: Duquesne, 1987), 57, 77.

⁵⁰ Levinas, 57, 77.

Wittgenstein (who was also imprisoned) show a real development among epistemologists that true knowing is knowing-in-relation. We see this potently portrayed by Solzhenitsyn when he recalls with fondness his “First Cell, First Love”:

Now for the first time you were about to see people who were not your enemies. Now for the first time you were about to see others who were alive, who were traveling your road, and whom you could join to yourself with the joyous word “we.” Yes, that word which you may have despised out in freedom...is now revealed to you as something sweet: you are not alone in the world! Wise, spiritual beings—*human beings*—still exist.⁵¹

Of that first night Solzhenitsyn remembers,

And I lay there, filled to the brim with the joy of being among them...How interesting tomorrow would be, one of the best days of my life! (Thus, very early and very clearly, I had this consciousness that prison was not an abyss for me, but the most important turning point in my life.)⁵²

To know and be known in the purity of truth is where we find the beauty of love, even amidst what might be our first cell.

Predating much of this thinking, Barth argues throughout the *CD* that personal and relational knowing, *erkennen*, is the ultimate encounter since *erkennen* fundamentally constitutes God’s *perichoretic* triunity as Father, Son, and Holy Spirit. And just as God’s *erkennen* constitutes his *primären-Gegenständlichkeit* (*ad-intra*) in God’s self, so too this is repeated *ad extra* in a “*sekundären-Gegenständlichkeit in seiner Offenbarung*.”⁵³ But for Barth, the self-revelation of God is always given for the sake of personal relationship. Hence, any *erkennen* of Christ must know him as risen, but also as arrested, imprisoned, and executed. What better place to really know this than in prison itself? In prison, our *erkennen* of neighbor and Christ is an *erkennen* with a real presence of our Lord. Yet, is this not what the sacraments are typically understood to convey, a genuine personal encounter with the Lord Jesus Christ? To this effect, inside Basel jail Barth prays, “Descend now into our midst.”⁵⁴ Barth proclaims: “he

⁵¹ Solzhenitsyn, 183-184.

⁵² Solzhenitsyn, 187.

⁵³ Barth, *Kirchliche dogmatik* II.1, 53.

⁵⁴ Barth, *Deliverance*, 101.

lives and is present among us now.”⁵⁵ Barth promises, “Jesus Christ is in our midst.”⁵⁶ These are not empty formalities or vague metaphors but faithful proclamations and invitations based upon the promises of Christ, to be actualized through the work of the Holy Spirit.

This then is one reason why gospel proclamation “to the captives” and moreover “*with the captives*” can be seen as a sacrament. It gives all involved an opportunity for unity in the presence of Christ. As Barth writes in a letter, “Everything was somehow much more real than in an ordinary church, with the usual kind of Christians.”⁵⁷ I can also attest to this from my own limited experiences teaching inside facilities, though my time inside can only be counted in hours. Nevertheless, as we circled around great texts, earnest notes, honest prayers, and each other, our gathering in the prison chapel illuminated those inner freedoms by asking questions, reading together, seeking truth, and simply being humble humane souls in search of salvation. Whatever “it” is, prison makes it real. In prison, through proclamation of release to all captives, including to those of us who do the proclaiming, we have certain, indissoluble, indestructible Christian community. And this means a “visible form of an invisible grace.”⁵⁸ This means sacrament.

2) Progress in Humane Conditions as Sacrament: Romans 11:32 states, “For God has imprisoned all in disobedience so that he may be merciful to all.”⁵⁹ We live in a world in which imprisonment is “the human condition,” to put the Apostle Paul and Hannah Arendt together, both of whom were formerly incarcerated persons.⁶⁰ Working for the improvement of humanitarian conditions in sites of incarceration thus should be an ever-present focus of Christian activity. To do this responsibly means Christians must

⁵⁵ Barth, *Deliverance*, 137.

⁵⁶ Barth, *Deliverance*, 33.

⁵⁷ Eberhard Busch, *Karl Barth* (Grand Rapids: Eerdmans, 1976), 414.

⁵⁸ Augustine, *City of God*, trans. by Marcus Dods (NYC: Modern Library, 1993), 308. (Bk. X c.5)

⁵⁹ Romans 11:32: συνέκλεισεν γὰρ ὁ θεὸς τοὺς πάντας εἰς ἀπείθειαν ἵνα τοὺς πάντας ἐλεήσει.

⁶⁰ In her prologue to *The Human Condition*, Arendt sets the stage by addressing “earth as a prison” and humanity’s “imprisonment to the earth.” Hannah Arendt, *The Human Condition* (Chicago: U. Chicago, 1998), 2.

go inside and be present. As Hebrews 13:3 puts it, “Remember those who are in prison, as though you were in prison with them.”

If proclamation was primary for Barth’s prison sermons, humanitarian concerns were not far behind. Indeed they mark themselves as a key focus of his prayers before and after his sermons: “for the poor, known and unknown, for those aging in loneliness, for the sick and the mentally ill, for the prisoners,” he prays, “we entrust to thy care.”⁶¹ “Comfort the prisoner, the distressed, the abandoned and despaired with the only effective help.”⁶² Barth’s concerns for the well-being of the prisoners certainly included a spiritual well-being, since this is, after all, a fundamental component of his definition of human as an embodied soul. Yet Barth did not overlook material conditions, for the “ineffaceable difference” of soul and body are nevertheless joined in “inseparable unity.”⁶³ For Barth, followers of Christ must, like the good Samaritan, care for neighborly bodies: “We should get the simple truth straight, dear friends. We are in the world not to comfort ourselves, but to comfort others.”⁶⁴

When Barth visited America in 1962 he visited the now-notorious San Quentin Prison in California and Rikers Island in New York City, in many ways to inspect the material conditions. And while the conditions in Basel were apparently not too bad (I hope they are now even better for at Rikers, especially, they have gotten horrifically worse) prison conditions were a background consideration in his conversations with prison chaplains in Fulda, 1960. Barth is clear in those responses that carceral conditions must not be coercive or cruel. Indeed in those conversations Barth wants to reform and improve *all* of what we consider “punishment” to the compassionate paradigm of “care.” His notes of preparation for that event state, “As a human (not a divine!) measure of *care*, the punishment *cannot* be understood and carried out as *atonement*, that is, as reparation for the transgression that occurred by means of an *evil* to be inflicted on the transgressor.”⁶⁵ Again owing to his doctrine of universal election,

⁶¹ Barth, *Deliverance*, 108.

⁶² Barth, *Deliverance*, 74.

⁶³ Barth, *CD III.2*, 325. §46 *Man as Soul and Body* develops and defends the claim that “Man’s being exists, and is therefore soul; and it exists in a certain form, and is therefore body.” See *CD III.2*, 325ff.

⁶⁴ Barth, *Deliverance*, 48.

⁶⁵ Karl Barth, *Barth in Conversation: Volume 1, 1959-1962* (Louisville: WJK, 2017), 39.

and the implicit ungodliness of all that is “not-God,” Barth rejects the theologically erroneous understanding that a select minority are predestined to “ineradicable dispositions” which deserve severe corporeal punishment or harsh treatment in the name of justice. Barth thus basically aligns himself with the fifth-century Boethius who concludes while imprisoned, “in fact, mercy should be shown to the criminals. Those who have done wrong should not be prosecuted with outrage and anger, but should be treated with kindness and sympathy.”⁶⁶ Surprisingly, Barth gives the church a special authority here, in instructing the state as to what constitutes proper humanitarian care.

The tradition of humanitarian reform by Christians for the sake of the imprisoned is long-standing and too extensive to say much about here. Yet, consider this quote from American activist Dorothy Day:

Christ is with us today, not only in the Blessed Sacrament and where two or three are gathered together in His Name, but also in the poor. And who could be poorer and more destitute in body and soul than these companions of our twenty-five days in prison?⁶⁷

With direct sacramental alignment, Day illuminates how she eagerly goes to prison, not only to alleviate the suffering of others but, quite simply, to suffer alongside others with Christ.

An additional example is Charles Dickens who came to America in 1842 and visited the newly completed Eastern State Penitentiary (built 1821-1831). Eastern State was the first industrial sized modern prison and was designed to offer a humane and spiritual place for penitence. It was here, in Philadelphia, that solitary confinement was formally invented and initially matched with enforced silence. Dickens was impressed by the physical structure and noble architecture, designed as it was by John Haviland who also built many churches, including Philadelphia’s First Presbyterian and St. Andrew’s Episcopal. Haviland’s new penitentiary was progressively graced with private toilets and indoor plumbing (at the time the presidential White House had neither) but Dickens was gravely concerned about the psychological impact the silent and solitary confinement would have: “The System is rigid, strict and hopeless solitary confinement, and I believe it, in its effects, to be cruel and wrong.” He continues, “In its intention, I am well convinced that it is kind, humane, and meant for reformation; but I am persuaded that those who devised this system...those benevolent gentlemen who carry it into execution, do not know

⁶⁶ Boethius, *Consolation of Philosophy*, trans. by David Slavitt (Cambridge: Harvard, 2008), 126-127.

⁶⁷ Dorothy Day, *Selected Writings* (NY: Knopf, 1983), 287.

what it is that they are doing.”⁶⁸ With actions such as these, Day and Dickens sought to improve the conditions of the cruelly imprisoned and exemplified Christ’s love of bodies, which like the man who went down from Jerusalem to Jericho, are often otherwise left for dead.

Christian love of neighbor’s physical well being must then be extended to reverently taking care of not only living bodies but even of corpses, which it must be noted, is exactly the first instance of how Barth conceives of the church as “the body of Christ.” As Barth explains, “To understand the New Testament usage” of the σώμα Χριστού, “we must not forget that in the first instance it means a dead body, a corpse.”⁶⁹ As the body of the crucified and risen Jesus Christ in a world “imprisoned by sin,” the church is thus also an imprisoned body, even a dead body. Much of that body of Christ, the church universal, is in prison today. In unity we ought to be for them, where they are, with Him, else we replicate this excerpt from Holocaust survivor Primo Levi’s poem, *The Last Epiphany*:

*I rang your bell at night, a pale Jew fleeing,
Barefoot, in rags, hunted like a wild animal:
You called the cops, you fingered me to the spies,
And said in your heart: “So be it. It is God’s will.”*

*And I came as a prisoner, as a slave in chains,
To be sold, to be whipped.
You turned your back on the livid slave in rags.
Now I come as judge. Do you recognize me now?⁷⁰*

In being present in even the best of circumstances and working for reform or replacement of the worst prison conditions on behalf of our neighbors, many of whom around the world it must be openly

⁶⁸ Charles Dickens, “Philadelphia and Its Solitary Prison” in *American Notes and Pictures from Italy: Complete Works Vol. 8* (London: Chapman & Hall, 1906), 83.

⁶⁹ Barth, *CD* IV.1, 662. As the body of Christ, the church is thus also in part an imprisoned body. See IV.1, 661 for a notable page on the church as the “earthly-historical form of existence of Jesus Christ Himself.”

⁷⁰ Primo Levi, *The Complete Works of Primo Levi, Vol. III* (NY: Norton, 2015), 1908-1909.

stated are manifestly *innocent*,⁷¹ the deeply rooted Christian practice for human welfare should, in light of Mathew 25, also be understood as a distinct and crucial form of the sacrament of imprisonment. In prison, in pits, cages, camps, and containment, we have the “word joined to the element,” in a promise of real presence. For, “I was in prison and you visited me” (Mt. 25:36). Those who follow this, the “Lord of all prisoners,” are called to recognize this mystery and are invited to find Him in it.

3) Imprisoned Protest as Sacrament: Protest against unjust laws aligns readily with a tradition of non-violent resistance. As Thoreau insists in *Civil Disobedience*, if the state “requires you to be the agent of injustice to another, then, I say, break the law. Let your life be a counter-friction to stop the machine.”⁷² For such actions to be recognized as a Christian sacrament, however, protest would need to have the prison experience be a visible and “sacred sign of an invisible sacrifice”⁷³ (Augustine), being publicly united with clear and biblical prophetic word and deed. We might look to 1 Peter for such an endorsement: “But if you endure when you do right and suffer for it, you have God’s approval. For to this you have been called, because Christ also suffered for you, leaving you an example, so that you should follow in his steps” (2:20b-21). Protest was, in many ways, the rationale we saw above with King, Montgomery, and the bus boycott. In leveling protest against racial segregation, they sought to save the soul of America with public prayer, Christian preaching, Gospel songs, and biblical teaching. For example, the Rev. James Lawson, who brought Gandhi’s non-violence to King, insisted the core of the protest was “neither legal, sociological, nor radical, but moral and spiritual.” For Lawson, the core of the movement was ultimately theological, “The nonviolent protesters had forced white southerners to

⁷¹ Here I must recognize my greatest teacher David Bryant in these matters. Despite the frequency of famous names in this article, it is the most honorable Mr. David Bryant who has befriended me and taught the most. Mr. Bryant was wrongfully imprisoned for forty-two years and freed by Centurion, a legal group begun by a member of our church, Jim McCloskey. David went on the longest wrongful incarceration list, maintained by U. Michigan Law School, at #4. David’s remarkable story, told in person to my classes every semester, is forthcoming in documentary format. Jim tells Centurion’s story in *When Truth is All You Have* (NY: Doubleday, 2020).

⁷² Henry David Thoreau, *Walden and On the Duty of Civil Disobedience* (NY: Signet, 1963), 229.

⁷³ Augustine, *City of God*, trans. by Marcus Dods (NYC: Modern Library, 1993), 308. (Bk. X c.5)

recognize the existence of sin.”⁷⁴ Indeed it was no coincidence that two reverends, Martin Luther King and Ralph Abernathy marched in Birmingham on Good Friday, being arrested in their attempt to hold a public prayer meeting. That this is the context of King’s thoroughly theological “Letter from Birmingham Jail” is mostly overlooked by American public education and sadly, much of the culturally-appropriated American mainline church. While King was certainly inspired by a notion of civil-disobedience from Thoreau and Gandhi, such figures were baptized in Christian waters. To cite James Cone, “it was, as King said, ‘through the influence of the Negro Church’ that ‘the way of nonviolence became an integral part of our struggle.’”⁷⁵ As King preached from pulpits and prisons, the civil rights movement was a public faith struggle *by the church* in which obedience to Jesus Christ and love of enemy were on full display.

This conviction for the necessity of prison protest is remarkably exemplified by a cellmate of Solzhenitsyn, remembered in *The Gulag Archipelago*:

Fastenko, on the other hand, was the most cheerful person in the cell, even though, in view of his age, he was the only one who could not count on surviving and returning to freedom. Flinging an arm around my shoulders, he would say: “To *stand up* for truth is nothing! For truth you have to *sit* in jail!” [...] And I believe this! May these pages help his faith come true!⁷⁶

We should also admire the endurance of those like Irina Ratushinskaya, herself inspired by Solzhenitsyn and the long tradition of political dissidents. Jailed as a political and poetical social critic in the 1980s, Ratushinskaya endured much brutality for her convictions. Reflecting on her decade as a political prisoner in *Grey is the Color of Hope*, she concluded “it was our Zone that had a grey uniform. The majority of zeks wear black. What hope do they have? Perhaps only that which we can offer.”⁷⁷ Like Thoreau’s reasoning, itself partially inspired by Christ’s resistance to the Herodians, resistance to injustice is itself a simple and rational duty: “Under a government which imprisons any unjustly, the true place for a just man is also a prison.”⁷⁸

⁷⁴ Clayborne Carson, *In Struggle* (Cambridge: Harvard, 1991), 23.

⁷⁵ King, *Autobiography*, 67. James H. Cone, *Calling the Oppressors to Account* in *Courage to Hope*, 79.

⁷⁶ Solzhenitsyn, 202.

⁷⁷ Irina Ratushinskaya, *Grey is the Color of Hope* (NY: Knopf, 1988), 357.

⁷⁸ Thoreau, 230.

Barth's sermons are clearly not of this legendary scope or scale. And yet, they are not completely devoid of political and theological protest. With prayers against nuclear armament, proclamations against the political folly of a shallow East vs. West dichotomy, and calls for calm amidst natural disasters the sermons are not absent of protest against the violence of this world.⁷⁹ Perhaps deeper is the theological protest Barth levels against a parsimonious theology of "some." Over and over again, Barth employs the word "all." God's grace is for "all." God's electing love is toward "all." Or as he says with the prison chaplains, "In Jesus Christ, all human transgression is *forgiven* transgression."⁸⁰ That Barth took his preaching to the Basel prison was itself protest against a complacency or an elitism that would find such an act superfluous or undignified. As the provocative Sister Helen Prejean writes in *Dead Man Walking*, "As if some among us—*not-as-human-as-you-and-I*—are disposable. And who selects and eliminates the *disposable* ones?"⁸¹ Barth's theology clearly argues likewise. In Christ, none are lost. None are disposable. All are saved in grace.

In further defense of why prison protest might be considered a sacrament, remember many of the Bible's best stories align with this theme: Shadrach, Meshach, Abednego in protest against Nebuchadnezer; Daniel in protest against Darius; Jeremiah in protest against Zedekiah and the Chaldeans (Jer. 37); John the Baptist in protest against Herod; Paul in protest against Rome (Acts 27); and Jesus before Pilate (John 18-19). Each in their own way refuses to acknowledge the political state as equivalent to a supreme divine being. As Peter and the apostles proclaim following their first arrest, "We must obey God rather than any human authority" (Acts 5:29). Such protests against falsehood and injustice have repeatedly changed the world. Recalling Susan B. Anthony's mantra (herself on the verge of imprisonment for the sake of women's suffrage) that "resistance to tyranny is obedience to God," wave after wave of protesters have, like the courageous citizens of Montgomery, put their trust in God declaring, "we ain't scared of your jails."

⁷⁹ atomic, *Call for God*, 109; East vs. West, *Deliverance*, 135; natural disasters: *Call for God*, 109.

⁸⁰ Barth, *Barth in Conversation*, Vol. 1, 49.

⁸¹ Helen Prejean, *Dead Man Walking* (NY: Vintage, 1994), 113.

4) **Persecution and Prison as Sacrament:** Because of political brokenness, cultural discrimination, and religious conflicts that tragically result in discrimination, abuse, and violence, being sent to jail for being associated with Christ has been at times, and will likely be again, the most troubling side of the sacrament of imprisonment. And yet, “Blessed are those who are persecuted for righteousness’ sake, for theirs is the kingdom of heaven” (Mt. 5:10). Though the degree to which one is persecuted might vary greatly, Jesus does seem to indicate the genuine possibility of tense theo-political engagement with prison as a possible outcome. We see this, for instance, in John 15:20-21, “If they persecuted me, they will persecute you,” and in Luke 12: 11, “When they bring you before the synagogues, the rulers, and the authorities, do not worry about how or what you will answer or what you are to say, for the Holy Spirit will teach you at that very hour what you ought to say,” even when the judges and officers threaten to “throw you in prison.” Indeed, though there have certainly been episodes where Christians were too quick to claim persecution, it is nonetheless an historical aspect of the faith, analytic, it would seem, to the earliest Christian experiences. Prison is highlighted, for instance, in the great chapter on faith in Hebrews: “Others suffered mocking and flogging, and even chains and imprisonment” and because of this “were commended for their faith.”⁸² Since apostolic precedent has long been viewed as key to determining the nature, number, and legitimacy of the sacraments we should recall prison is an active consequence of early Christian identity, as we see in I Peter 4:12-19⁸³ or with the arrest of believers in Acts 8:3: “But Saul was ravaging the church by entering house after house; dragging off both men and women, he committed them to prison.” The Christian tradition is, at its heart, a prison tradition.

Preaching in Basel prison, in a lighthearted way, Barth too makes reference to such an experience,

My dear friends, we all know what it is to appear *in court*. I can quite easily include myself too as I say this, for nearly thirty years ago now, in the days of Hitler, in Cologne on the Rhine, I too once appeared in court. I was accused and charged there by a wicked lawyer who said that I had done what was not allowed in the Germany of the day and had not done what ought to be done in the Germany of the day. Three judges sat opposite me and looked at me with serious, suspicious

⁸² Hebrews 13:36, 39.

⁸³ I Peter 3:15-16: “But let none of you suffer as a murderer, a thief, a criminal, or even as a mischief maker. Yet if any of you suffers as a Christian, do not consider it a disgrace, but glorify God because you bear this name.”

faces. [...] Everything took its inevitable course. I was found guilty and sentenced to be dismissed as an unreliable state official and as a bad teacher of German youth. Now that is a long time ago and as you see I have survived it pretty well up to now.⁸⁴

Despite Barth's levity, we ought recall that not all trials under the Third Reich concluded likewise. Before such a tribunal Alfred Delp, like many others, was condemned to death. After the verdict, in his Delp writes,

So farewell. My offense is that I believed in Germany, and her eventual emergence from this dark hour of error and distress, that I refused to accept that accumulation of arrogance, pride and force that is the Nazi way of life, and that I did this as a Christian and a Jesuit.⁸⁵

Dismissed of any connection to the July 20 Stauffenberg plot on Hitler, Delp suggests to his brothers on his last day,

The actual reason for my condemnation is that I happened to be, and chose remain a Jesuit. There was nothing to show that I had any connection with the attempt on Hitler's life so I was acquitted on that count. The rest of the accusations were far less serious and more factual. There was one underlying theme—a Jesuit is *a priori* an enemy and betrayer of the Reich. So the whole proceedings turned into a sort of comedy developing a theme. It was not justice—it was simply the carrying out of the determination to destroy.⁸⁶

Delp was hanged that same day, on February 2, 1945 at Plötzensee Prison in Berlin. Returning to Barth, one wonders how close Karl was to Delp's, Bonhoeffer's, or even Socrates' fate, as all seem guilty of disbelieving in the gods of the state and corrupting the minds of the youth. Yet should such experiences be avoided? Socrates did not think so. Despite his friend's pleas to escape the Athenian jail, Socrates retorts, "Then give it up Crito, and let us follow this course, for God leads the way."⁸⁷ With his final written words, Delp went forth likewise, "Towards noon I will celebrate Mass once more and then in God's name take the road under his providence and guidance."⁸⁸

Dietrich Bonhoeffer's experience before such judges and courts yielded a similar conclusion. One ought not flee. Before his imprisonment, in *After Ten Years* he writes, "It remains an experience of

⁸⁴ Barth, *Call for God*, 88.

⁸⁵ Alfred Delp, *Prison Meditations of Father Delp* (NY: Herder and Herder, 1963), 190.

⁸⁶ Delp, 193.

⁸⁷ Plato, *Crito* in *The Last Days of Socrates*, trans. by Hugh Tredennick (NY: Penguin, 2003), 96/54e.

⁸⁸ Delp, 193.

incomparable value that we have for once learned to see the great events of world history from below, from the perspective of the outcasts, the suspects, the maltreated, the powerless, the oppressed and reviled—in short, from the perspective of the suffering.”⁸⁹ Suffering, oppression, persecution, and even death concluded Bonhoeffer, ought not be feared or fled from. “None of this is new; rather, it is something we have long been familiar with in times gone by, something given to us to experience and understand anew. One cannot write about these things without every word being accompanied by the feeling of gratitude.”⁹⁰ On July 21, 1944, the day after the failed attempt on Hitler’s life with his own death now ensured, the imprisoned Bonhoeffer reiterated the sentiment, “I am grateful that I have been allowed this insight. And I know that it is only on the path that I have finally taken that I was able to learn this. So I am thinking gratefully and with peace of mind about past as well as present things.”⁹¹ Such gratitude echoed not just through the diaries of Europe during WWII, but from the cells of India as well.

Fighting for Indian independence and freedom from racial abuse, Eknath Eswaran recalls his experiences of prison alongside Gandhi, “I can’t describe the effect this had on me, on all of India. [...] We ‘kept the pledge’ day after day, filling the jails literally to overflowing. Many veterans of those days recall their terms in prison as the high point of their lives. Gandhi had made ‘suffering for Truth’ a badge of honor.”⁹² As we saw with Martin Luther King, Gandhi’s philosophy of non-violence and willingness to go to jail changed his nation. In building his ashrams next to the prisons, in making his bedroom the same as a prison cell, and in calling the jail his *mandir* (temple), Gandhi essentially hacked the system of British persecution and punishment. Neither could work on this man. Instead, Gandhi decided,

Suffering cheerfully endured ceases to be suffering and is transmuted into an ineffable joy. The man who flies from suffering is the victim of endless tribulation before it has come to him and is half dead when it does come. But one who is cheerfully ready for anything and everything that comes escapes all pain, his cheerfulness acts as an anesthetic.⁹³

⁸⁹ Dietrich Bonhoeffer, *Dietrich Bonhoeffer Works, Vol. 8: Letters and Papers from Prison*, ed. by Christian Gremmels (Minneapolis: Fortress, 2010), 52.

⁹⁰ Bonhoeffer, 37-38.

⁹¹ Bonhoeffer, 486.

⁹² Gandhi, *The Essential Gandhi* ed. by Louis Fischer (NY: Vintage, 1983), xv.

⁹³ Gandhi, 146.

Gandhi thus viewed prison going as an opportunity for inner sanctification. He taught, “Self-purification is the main consideration in seeking the prison. Embarrassment of the Government is a secondary consideration.”⁹⁴ With such an attitude and orientation, Gandhi could joyously conclude, “Jail for us is no jail at all.”⁹⁵ Prison-going, combined with the non-violent resistance he learned from his wife, Kasturbai, brought political liberation to 400 million people and overcame a world superpower in the process.⁹⁶ It also inspired the likes of Nelson Mandela, Aung San Suu Kyi, and Aleksei Navalny, Russia’s jailed critic of Vladimir Putin’s authoritarianism. This method has changed, and is changing, the world.

Following Gandhi’s model of self-purification amidst the twenty seven years of jailed persecution for his protest against South African apartheid, Mandela would describe the cell to his wife, Winnie, in this famous manner:

Incidentally, you may find that the cell is an ideal place to learn to know yourself, to search realistically and regularly the process of your own mind and feelings. In judging our progress as individuals we tend to concentrate on external factors such as one’s social position, influence and popularity, wealth and standard of education. These are, of course, important in measuring one’s success in material matters and it is perfectly understandable if many people exert themselves mainly to achieve all these. But internal factors may be even more crucial in assessing one’s development as a human being. Honesty, sincerity, simplicity, humility, pure generosity, absence of vanity, readiness to serve others – qualities which are within easy reach of every soul – are the foundation of one’s spiritual life. Development in matters of this nature is inconceivable without serious introspection, without knowing yourself, your weaknesses and mistakes. At least, if for nothing else, the cell gives you the opportunity to look daily into your entire conduct, to overcome the bad and develop whatever is good in you. Regular meditation, say about 15 minutes a day before you turn in, can be very fruitful in this regard. You may find it difficult at first to pinpoint the negative features in your life, but the 10th attempt may yield rich rewards. Never forget that a saint is a sinner who keeps on trying.⁹⁷

In defense of that same inner humanity, Myanmar’s Aung San Suu Kyi, then imprisoned and currently imprisoned again, famously wrote these words as acceptance of the 1990 Sakharov Prize for Freedom of Thought:

⁹⁴ Gandhi, 154.

⁹⁵ Gandhi, 237.

⁹⁶ “I learnt the lesson of non-violence from my wife, when I tried to bend her to my will. Her determined resistance to my will on the one hand, and her quiet submission to the suffering my stupidity involved on the other, ultimately made me ashamed of myself and cured me of my stupidity in thinking that I was born to rule over her, and in the end she became my teacher in non-violence.” Gandhi, 305.

⁹⁷ Nelson Mandela, *Conversations with Myself* (NY: Picador, 2010), 211-212.

Saints it has been said, are the sinners who go on trying. So free men are the oppressed who go on trying and who in the process make themselves fit to bear the responsibilities and to uphold the discipline which will maintain a free society. [...] Within a system which denies the existence of basic human rights, fear tends to be the order of the day. Fear of imprisonment, fear of torture, fear of death, fear of losing friends, family, property or means of livelihood, fear of poverty, fear of isolation, fear of failure. A most insidious form of fear is that which masquerades as common sense or even wisdom, condemning as foolish, reckless, insignificant or futile the small, daily acts of courage which help to preserve man's self-respect and inherent human dignity. It is not easy for a people conditioned by fear under the iron rule of the principle that might is right to free themselves from the enervating miasma of fear. Yet even under the most crushing state machinery courage rises up again and again, for fear is not the natural state of civilized man. [...] Concepts such as truth, justice and compassion cannot be dismissed as trite when these are often the only bulwarks which stand against ruthless power.⁹⁸

Navalny, imprisoned because of political persecution, would describe the attempt to create humane community within Penal Colony No. 2, Pokrov, Russia with these words:

The zone specializes in psychological violence. [...] To not succumb to provocation, this is the most important thing to learn here. The first few months, I was really good at this, and now things became calmer. I just decided this would become an excellent Christian practice. We continually talk about loving thine enemy, but really, just try to understand and forgive people you literally couldn't stand at all just a little while ago. But I'm trying.⁹⁹

Like Gandhi, monasticizing the prison experience amidst dehumanizing persecution seems to have worked for Navalny and those around him: "Before, my zone was famous for fearsome beatings of inmates. Now, nobody is beaten, or at least I haven't heard about it."

As the above show, there is power in prison protest, especially when it endures the persecutions volleyed against it. As the 2023 Nobel laureate Narges Mohammadi just wrote from from an Iranian prison, "What the government may not understand is that the more of us they lock up, the stronger we become."¹⁰⁰ Let us learn from her. That persecution exists is easy for western politics to forget. That

⁹⁸ Aung San Suu Kyi, *Freedom from Fear* (NY: Penguin, 1991), 184-185. That Suu Kyi's reputation has been severely tarnished by what might be called her negligent genocide of the Rohingya does not invalidate for me the power of these words. It simply establishes that, sadly, even heroes sometimes fail to live up to their own ideals.

⁹⁹ Andrew Kramer and New York Times, *Read Excerpts From Navalny's Interview With The Times*, Aug. 25, 2021. <https://www.nytimes.com/2021/08/25/world/europe/navalny-interview-excerpts.html> (Last accessed Jan. 11, 2024). Tragically, as I work on the final edits to this chapter, the news is announcing Navalny's death of February 16, 2023 in the remote northern IK-3 prison known as "Polar Wolf."

¹⁰⁰ Narges Mohammadi, *The More They Lock Us Up, the Stronger We Become*, in *The New York Times*, Sept. 16, 2023. <https://www.nytimes.com/2023/09/16/opinion/narges-mohammadi-iran-women.html> (Last accessed Jan. 11, 2024)

persecution should not be feared is difficult for western privilege to remember. That persecution sets more captives free might just be the paradox mysteriously (thus, *sacramentally*) hidden within the faith of Christ. But as Gandhi knew, “the cell door is the door to freedom.”¹⁰¹

In proclamation, in defense and pursuit of humane treatment of prisoners, in protest, and in times of persecution: these are the fourfold forms of the sacrament of imprisonment.

VI. Conclusion

In concluding this invitation to recognize imprisonment as sacrament, it is necessary to make three further clarifications.

1) In defending the sacramental nature of going to prison for pastoral presence, humanitarian protection, in protest, and under persecution, it is important to note that I did not make the case for *punishment* as a form of this sacrament. Punishment, perhaps since Constantine’s conversion and the Edict of Milan (313), has probably become the *de facto* mindset of a Christian theology of imprisonment—*that it is good for us to imprison you and make you suffer for your sins*. This proposal on the other hand, alongside Barth’s own call for a paradigm of care, seeks to reform theology away from this retributive and punitive stance. In fact, as has been implied but not yet stated, the telos of imprisonment with Christ and for Christ is prison abolition. The sacrament of imprisonment is designed to unite communities with Jesus in order to know and to make known Christ’s power to abolish forms of sinful, and therefore unjust, captivity. The telos of the sacrament of imprisonment is the setting free of captives in grace, by grace, for grace. Yet, how does this abolition happen? Discovering an answer to this will certainly be a part of the journey, but the first steps will likely discover why prisons are not working and why they ought be reformed, replaced, and outright abolished. Speaking of such prison abolition, Angela Davis, who knew the view from inside herself, writes,

It is up to us to insist on the obsolescence of imprisonment as the dominant mode of punishment, but we cannot accomplish this by wielding axes and literally hacking at prison walls, but rather by demanding new democratic institutions that take up the issues that can never be addressed by prisons in productive ways.¹⁰²

¹⁰¹ Gandhi, 154.

¹⁰² Angela Davis, *Abolition Democracy* (NY: Seven Stories Press, 2005), 72.

With both pragmatic and apocalyptic visions of the felling of hell's gates, let these walls come tumbling down.

2) It will be noted that little has been said about the mechanism of how this sacrament works. Scholastic theology, especially of the late medieval era was greatly interested in the mechanisms of sacrament and, with regards to the Eucharist, through the Aristotelean language of substance and essence tried to explain this "how" within the theory of transubstantiation. We need not get preoccupied with such mechanisms of "how" for two reasons. The first is that we can advance from a generalized theory of sacraments, especially one in which an accepted mechanism for one sacrament (say, transubstantiation) becomes normative for how other sacraments must work, or why some practices are to be recognized as sacraments in the first place. The second more significant reason is that the church was long content to recognize many acts as sacraments without seeking to explain a mode or mechanism of how they worked. Many, like John of Damascus of the eight century, were content to purely affirm the mystery of Christ's presence in certain acts. In *On the Orthodox Faith* John writes,

And now you ask how the bread becomes the body of Christ, and the wine and the water become the blood of Christ. I shall tell you. The Holy Spirit comes upon them, and achieves things which surpass every word and thought. [...] Let it be enough for you to understand that this takes place by the Holy Spirit, just as the Lord took flesh, in and through himself, of the Holy *theotokos* and by the Holy Spirit.¹⁰³

John of Damascus' refusal to speculate on the *how*, squares much more deeply with Barth's emphasis on the prerogative of divine action and corresponds with the *CD*'s expansive doctrine of revelation. It also aligns with Barth's treatment of the the Holy Spirit. In reflecting on the agency of the Spirit, Barth suggests, "the New Testament, although time and again it places the Holy Spirit between the event of Christ on the one hand and the Christian community and Christian faith on the other, does not really tell us anything about the How, the mode of His [the Holy Spirit's] working."¹⁰⁴ Barth's act ontology, founded as it is in his scriptural exegesis, allows him to steer clear of an attempt to explain materialistic mechanisms of revelation. Rather, it simply promises a *when*. By God's faithfulness and through divine

¹⁰³ Alister McGrath, *Christian Theology Reader* (Malden, MA: Wiley, 2017), 455.

¹⁰⁴ Barth, *CD* IV.1, 649.

determination alone, God's liberating presence will happen *when* the Holy Spirit takes that "there and then" and unites creatures with Christ "here and now," just as it is by God's initiative alone that a burning bush, the words of scripture, or even a dead Russian dog might become media of divine revelation.¹⁰⁵ God's promise is that this revelatory liberation can happen even in *gaol* and *Gefängnis*.¹⁰⁶ Or as the Paul of Philippians 1:12ff attests, it happens *especially* in *gaol* and *Gefängnis*. Indeed in Colossians, Paul explicitly gives thanks for "the mystery [μυστήριον] of Christ, for which I am in prison" (4:3). We ought go and taste for ourselves, for here is a sacramental mystery not bound and controlled by priests, rituals, committees, or ceremonies, but one instituted by Christ alone. For, "the word of God is not chained" (2 Timothy 2:9).

3. We might still wonder how a sacrament of prison-going could be integrated alongside the other sacraments. Barth shows us how can move away from a 'sacraments in general' understanding as necessitating a materialized grace (recall Hugh of St. Victor's stipulation of a "a corporeal or material element," though certainly prison walls might qualify) and simply see that Christ ordains certain *acts* and *events* with promises, not as a requisite for salvation or even as a daily necessity, but as part of an entire life of *nachfolge*. Because prisons are an institution of sin, one of these acts is what we could also call jail-breaking. Thus Barth preaches,

And was he not [...] also taken prisoner by men, arrested, led away, tried, condemned and executed as a criminal? If anyone ever lived who stood shoulder to shoulder with the prisoners, then it was he. And so shoulder to shoulder with them, as the greatest of those to be arrested, condemned and executed, he has brought to all prisoners freedom, deliverance and redemption. This is what the Lord who has mercy on you is like: this prisoner who sets you free, who set all of us free."¹⁰⁷

This is what can be learned from Barth's prison sermons. We must step down from the pulpit. We must walk out of the churches. We must go into the jails, the camps, the relocation centers, the filtration points, and the yes, even the Gulags and concentration camps and experience deliverance *with* the

¹⁰⁵ The curious suggestion is based upon Barth's famous line, "God may speak to us through Russian Communism, a flute concerto, a blossoming shrub, or a dead dog." Barth, *CD I.1*, 55.

¹⁰⁶ Both mean "jail." *gaol* is an old English spelling, *Gefängnis* is German.

¹⁰⁷ Barth, *Call for God*, 12.

captives. Inside jails, a means of grace awaits. In the cell is the real presence of Christ. In prisons, a sacrament of freedom can be celebrated.¹⁰⁸

Will we listen to those who witness to that third thief who, still living, is as Corrie ten Boom learned, “God even of Ravensbruck”?¹⁰⁹ Will we follow the gusts of wind blowing into that strange sanctuary? As prison chaplain Chris Hoke writes, “And in this place, in these rooms of unadorned life, I found something that the clergy call sacrament, mysteries I could feel.”¹¹⁰ As Alfred Delp prayed from behind bars, “The wise, the watchers and those who bring tidings, men who know God and his order, those who watch expectantly and pray ceaselessly are those who will transform our fetters into a sacrament of freedom.”¹¹¹

Admittedly we could find many reasons not to become jail-breakers. But the faithful might also conclude “Then give it up critics, and let us follow this course, for God leads the way.” Like another sacrament we must go into those waters to discover a neoteric freedom. For the “Lord encamps around those who fear him, and delivers them. O taste and see that the Lord is good.”¹¹² Or as our voluminous author of the *Kirchliche dogmatik* humbly confessed of his trips to prison: “Everything was somehow much more real than in an ordinary church.”¹¹³ Prison-going is an extraordinary sacrament. Jail-breaking is the sacrament of freedom.

¹⁰⁸ To this strange freedom athiest Jean-Paul Sartre also attests: “Never were we freer than under the German occupation. We had lost all rights, beginning with the right to speak. We were insulted to our faces every day and had to remain silent. We were deported en masse, as workers, as Jews or political prisoners. Everywhere—on the walls, on the screens and in the newspapers—we came against the vile, insipid picture of ourselves our oppressors wanted to present to us. Because of all this, we were free.” Jean-Paul Sartre, *Aftermath of War*, trans. by Chris Turner (London: Seagull, 2008), 3.

¹⁰⁹ Corrie ten Boom, *The Hiding Place* (Grand Rapids: Chosen, 2006), 204.

¹¹⁰ Chris Hoke, *Wanted* (NY: HarperOne, 2015), 76. Thanks to David Saugen for this reference.

¹¹¹ Delp, 59.

¹¹² Psalm 34:7-8

¹¹³ Busch, 414.

[Insert Figure 2]

Martin Luther King in Birmingham: Fill Up The Jails!

Sing for Freedom: The Story of the Civil Rights Movement Through It's Songs

Track 20: "Rev. Martin Luther King, Jr."

