



SESSION ONE: CRIMINALITY, SCAPEGOATING, AND RETRIBUTION VS. RESTORATION

Part One: Criminality and Racial Perceptions

“White Americans overestimate the proportion of crime committed by people of color and associate people of color with criminality. For example, white respondents in a 2010 survey overestimated the actual share of burglaries, illegal drug sales and juvenile crime committed by African-Americans by 20 percent to 30 percent.”¹

“Implicit bias research has uncovered widespread and deep-seated tendencies among whites – including criminal justice practitioners – to associate blacks and Latinos with criminality.”²

“White Americans who associate crime with blacks and Latinos are more likely to support punitive policies — including capital punishment and mandatory minimum sentencing — than whites with weaker racial associations of crime.”³

“This association of crime with blacks has been noted by others. Lisa Bloom, in her book “Suspicion Nation,” points out: “While whites can and do commit a great deal of minor and major crimes, the race as a whole is never tainted by those acts. But when blacks violate the law, all members of the race are considered suspect.” She further says: “The standard assumption that criminals are black and blacks are criminals is so prevalent that in one study, 60 percent of viewers who viewed a crime story with no picture of the perpetrator falsely recalled seeing one, and of those, 70 percent believed he was African-American. When we think about crime, we ‘see black,’ even when it’s not present at all.”⁴

Criminality, Drug-Related Facts

“The first anti-opium laws in the 1870s were directed at Chinese immigrants. The first anti-cocaine laws, in the South in the early 1900s, were directed at black men. The first anti-marijuana laws, in the Midwest and the Southwest in the 1910s and 20s, were directed at Mexican migrants and Mexican Americans. Today, Latino and especially black communities are still subject to wildly disproportionate drug enforcement and sentencing practices.”⁵

“Black youth are arrested for drug crimes at a rate ten times higher than that of whites. But new research shows that young African Americans are actually less likely to use drugs and less likely to develop substance use disorders, compared to whites, Native Americans, Hispanics and people of mixed race.”⁶

“Contrary to popular assumption, at all three grade levels African American youth have substantially lower rates of use of most licit and illicit drugs than do Whites.”⁷

¹ The Sentencing Project, *Race and Punishment: Racial Perceptions of Crime and Support for Punitive Policies*, 2014, p.3; http://www.sentencingproject.org/doc/publications/rd_Race_and_Punishment.pdf

² Ibid, p.3

³ Ibid, p.3

⁴ Charles M. Blow, “Crime, Bias, and Statistics,” *New York Times*, September 7, 2014; citing The Sentencing Project, *Race and Punishment: Racial Perceptions of Crime and Support for Punitive Policies*, 2014. See also Katheryn Russell-Brown, *The Color of Crime: Racial Hoaxes, White Fear, Black Protectionism, Police Harassment, and Other Macroaggressions*, 2nd edition (New York: NYU Press, 2008); also supported by Ted Chiricos, Kelly Welch, Marc Gertz, “Racial Typification of Crime and Support for Punitive Measures,” *Criminology* Volume 42, Number 2, 2004; <http://www.uakron.edu/centers/conflict/docs/Chiricos.pdf>; ‘This paper assesses whether support for harsh punitive policies towards crime is related to the racial typification of crime for a national random sample of households (N=885), surveyed in 2002. Results from OLS regression show that the racial typification of crime is a significant predictor of punitiveness, independent of the influence of racial prejudice, conservatism, crime salience, southern residence and other factors. This relationship is shown to be concentrated among whites who are either less prejudiced, not southern, conservative and for whom crime salience is low. The results broaden our understanding of the links between racial threat and social control, beyond those typically associated with racial composition of place. They also resonate important themes in what some have termed modern racism and what others have described as the politics of exclusion.’

⁵ Drug Policy Alliance, “A Brief History of the Drug War,” <http://www.drugpolicy.org/new-solutions-drug-policy/brief-history-drug-war>

⁶ Maia Szalavitz, “Study: Whites More Likely to Abuse Drugs Than Blacks,” *Time*, November 7, 2011

⁷ Monitoring the Future Survey, 2004, cited by Van Jones, “ARE Blacks a Criminal Race? Surprising Statistics,” *Huffington Post*, May 25, 2011



Politics and Racial Bribes:

Michelle Alexander argues that poor whites have repeatedly been offered ‘racial bribes.’⁸ Largely superficial privileges have been extended to poor whites in an effort to drive a wedge between them and poor blacks. Dr. Martin Luther King, Jr. made a similar observation in 1965:

‘The Southern aristocracy took the world and gave the poor white man Jim Crow. And when his wrinkled stomach cried out for the food that his empty pockets could not provide, he ate Jim Crow, a psychological bird that told him that no matter how bad off he was, at least he was a white man, better than a black man.’ (From *Address at the Conclusion of the Selma to Montgomery March*, March 25, 1965).

Republican strategist Kevin Phillips made race a political tool in 1970:

‘The more Negroes who register as Democrats in the South, the sooner the Negrophobe whites will quit the Democrats and become Republicans. That’s where the votes are.’⁹

John Ehrlichman, who was domestic policy chief to President Richard Nixon, admitted that the war on drugs was a political assault designed to help Nixon win, and keep, the White House:

‘We knew we couldn't make it illegal to be either against the war or black, but by getting the public to associate the hippies with marijuana and blacks with heroin. And then criminalizing both heavily, we could disrupt those communities... We could arrest their leaders, raid their homes, break up their meetings, and vilify them night after night on the evening news. Did we know we were lying about the drugs? Of course we did.’¹⁰

Lee Atwater was a Republican campaign strategist who helped Reagan win in 1981. He discussed the Southern Strategy in an interview in 1981:

‘You start out in 1954 by saying [N-word, N-word, N-word]. By 1968 you can’t say [N-word] — that hurts you. Backfires. So you say stuff like forced busing, states’ rights and all that stuff. You’re getting so abstract now [that] you’re talking about cutting taxes, and all these things you’re talking about are totally economic things and a byproduct of them is [that] blacks get hurt worse than whites. And subconsciously maybe that is part of it. I’m not saying that. But I’m saying that if it is getting that abstract, and that coded, that we are doing away with the racial problem one way or the other. You follow me — because obviously sitting around saying, “We want to cut this,” is much more abstract than even the busing thing, and a hell of a lot more abstract than [N-word].’¹¹

⁸ Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press, 2011), p.40 – 58; see also <https://www.youtube.com/watch?v=WWIsS5RBxJU> (youtube ‘Michelle Alexander BCCC 2010’)

⁹ Alexander, p.44; James Boyd, ‘Nixon’s Southern Strategy: ‘It’s All in the Charts’, *New York Times*, May 17, 1970; <http://www.nytimes.com/packages/html/books/phillips-southern.pdf> says, ‘The Grand Old Party still lay buried under the debris of the latest Democratic landslide – 1964 – when a young, self-taught ethnologist named Kevin Phillips emerged from his charts and maps to avow to skeptical hearers that just around the corner was an inevitable cycle of Republican dominance that would begin in the late nineteen-sixties and prosper until the advent of the 21st century. To the pure of heart it all sounded spooky and a bit repugnant because it was premised on the alleged hostility of Irishmen, Italians and Poles, whose ethnic traits were conservative, toward Jews, Negroes and affluent Yankees, who history had made liberal. There were more of the former and they were ineluctably trending Republicans...Phillips had grown up in the Bronx. His observations of life had convinced him that all the talk about melting-pot America was buncombe. Most voters, he had found, still voted on the basis of ethnic or cultural enmities that could be graphed, predicted and exploited... Irish, Italian and Eastern European [communities now felt] resentment of the new immigrants – Negroes and Latinos – and against the national Democratic party, whose Great Society programs increasingly seemed to reflect favoritism for the new minorities over the old.’

¹⁰ Tom LoBianco, ‘Report: Aide Says Nixon’s War on Drugs Targeted Blacks, Hippies,’ *CNN*, March 24, 2016;

<http://www.cnn.com/2016/03/23/politics/john-ehrllichman-richard-nixon-drug-war-blacks-hippie/index.html>

¹¹ Alexander P. Lamis, *Southern Politics in the 1990’s* (Louisiana State University Press, 1999), p.7 – 8; Rick Perlstein, ‘Exclusive: Lee Atwater’s Infamous 1981 Interview on the Southern Strategy,’ *The Nation*, November 13, 2012; <http://www.thenation.com/article/exclusive-lee-atwaters-infamous-1981-interview-southern-strategy/>. At least one person has tried to exonerate Atwater from tapping into race as the silent but guiding factor in Southern politics, such as John Hinderaker, ‘What Did Lee Atwater Really Say?’ *Power Line Blog*, June 9, 2013; <http://www.powerlineblog.com/archives/2013/06/what-did-lee-atwater-really-say.php>. But Atwater made a confession on his deathbed about campaigning for Bush against Dukakis.



Ronald Reagan ran on an anti-New Deal and anti-Civil Rights platform. He leveraged white resentment against affirmative action. He famously made fun of welfare queens (which was associated with black women) and talked about 'states-rights' to appeal to working-class whites.¹² He repeatedly told the story of a 'Chicago welfare queen' with:

'eighty names, thirty addresses, [and] twelve Social Security cards [who] is collecting veteran's benefits on four non-existing deceased husbands. She's got Medicaid, getting food stamps, and she is collecting welfare under each of her names. Her tax-free cash income is over \$150,000.'¹³

George H.W. Bush turned his losing campaign around against Michael Dukakis on a 'get tough on crime' platform. He criticized Dukakis for letting out Willie Horton, a violent African-American offender. Horton had committed armed robbery and rape while out on a weekend furlough program that Dukakis had supported as governor of MA. Strategist Lee Atwater said about that, on his deathbed conversion:

"In 1988, fighting Dukakis, I said that I 'would strip the bark off the little bastard' and 'make Willie Horton his running mate,' " Mr. Atwater said in the *Life* [magazine] article. "I am sorry for both statements: the first for its naked cruelty, the second because it makes me sound racist, which I am not."¹⁴

Bill Clinton, in a game of one upmanship, campaigned on the same 'tough on crime' platform to win back the working class white vote towards Democratic in the South. He put more black men behind bars during his terms than Reagan and Bush before him, and is now sorry for it.

'Bill Clinton said Wednesday that the crime bill he signed into law as President in 1994 worsened the nation's criminal justice system by increasing prison sentences... He added: 'The good news is we had the biggest drop in crime in history. The bad news is we had a lot of people who were locked up, who were minor actors, for way too long.'¹⁵

¹² Alexander, p.48; Lawrence Freedman, "Reagan's Southern Strategy Gave Rise to the Tea Party," *Salon*, October 27, 2013;

http://www.salon.com/2013/10/27/reagans_southern_strategy_gave_rise_to_the_tea_party/

¹³ Ian Haney-Lopez, "The Racism at the Heart of the Reagan Presidency," *Salon*, January 11, 2014;

http://www.salon.com/2014/01/11/the_racism_at_the_heart_of_the_reagan_presidency/. See also Joseph A. Aistrup, *The Southern Strategy Revisited: Republican Top-Down Advancement in the South* (University Press of Kentucky, 2015). p.44; and Lawrence Freedman, footnote 3

¹⁴ Gaius Publius, 'Lee Atwater's Infamous "N*gger, N*gger" Interview,' *America Blog*, November 8, 2012;

<http://americablog.com/2012/11/audio-of-infamous-lee-atwater-interview-its-a-matter-of-how-abstract-you-handle-the-race-thing.html>

¹⁵ Ed Pilkington, 'Bill Clinton: Mass Incarceration on My Watch Put Too Many People in Prison,' *The Guardian*, April 28, 2015;

<http://www.theguardian.com/us-news/2015/apr/28/bill-clinton-calls-for-end-mass-incarceration>. '[Clinton] created incentives to individual states to build more prisons, to put more people behind bars and to keep them there for longer. [He] presided over the introduction of a federal three-strikes law that brought in long sentences for habitual offenders. [Also,] states which sentenced people to long terms in prison with no chance of parole were rewarded with increased federal funds. [And] federal money was provided to states to allow them vastly to increase the number of police officers on the streets – in turn generating more arrests and more convictions.'



Part Two: Which God Do We Imitate?

Some people think we must impose maximum retributive justice. One reason why the U.S. has a prison problem is because the Puritans had the image of a retributive, punitive God, and they modeled how we punish criminals on how they thought God punishes heretics and sinners.¹⁶ So even if you are not Christian, you need to know where the roots of this view are. You may want to persuade others who are Christians, and this curriculum will be helpful towards that.

Summaries

Greek Origin Story	Hebrew Origin Story
<p>Zeus (the chief god) punished Prometheus the immortal titan for giving fire to men. Zeus chained Prometheus to a rock. He sent an eagle to rip out Prometheus' liver every day. Prometheus was immortal so his liver would regenerate every day, only to repeat the torment. Zeus punished men for receiving fire by making Pandora, the mother of all women, to cause trouble for men. (Hesiod, <i>Theogony</i> 561 – 591; 519 – 526, part of the Greek 'creation story')</p>	<p>God made the world and called Adam and Eve to bring forth more garden life and human life. Adam and Eve corrupted their own human nature. Adam blamed Eve for his own choice. God promised to send a Redeemer to heal the corruption of sin and give new life to human beings. For now, God closed access to the Garden of Eden and the Tree of Life, to prevent them from living forever in a fallen state, and making human evil stretch out for eternity. God still called human beings to bring forth more garden life and human life, but both are painful because we are alienated from God, who is the true source of life. In fact, since the Redeemer would be a human child, God called human beings to still be partners with Him in their own restoration.</p> <p>An example of early Christian interpretation: '[God] drove him out of Paradise, and removed him far from the tree of life... because He pitied him, [and did not desire] that he should continue a sinner for ever, nor that the sin which surrounded him should be immortal, and evil interminable and irremediable. But He set a bound to his [state of] sin, by interposing death, and thus causing sin to cease, putting an end to it by the dissolution of the flesh, which should take place in the earth, so that man, ceasing at length to live to sin, and dying to it, might begin to live to God.' (Irenaeus of Lyons, <i>Against Heresies</i> 3.23.6, ~130 – 202 AD)</p>

Historical and Cultural Background

- *The Greek creation story:* Composed by the Greek poet Hesiod around 700 BCE. The gods (e.g. Zeus) battle the titans (e.g. Prometheus); people are pawns. These stories probably existed orally long before.
- *The Hebrew creation story:* Perhaps compiled or collected around 1200 BCE. Adam and Eve corrupted human nature by taking into themselves the desire to define good and evil from within themselves (the tree of the knowledge of good and evil, which represented God). Not letting God define good and evil for them, they tried to become their own gods. The serpent, identified as Satan (Rev.12:9), wanted to prove to God that angels should not serve humans (Ps.91:11 – 12; 1 Cor.6:3).

Guiding Questions

1. In the Greek creation story, how does Zeus respond to Prometheus, and to men?
2. In the Hebrew creation story, why does Adam blame Eve? Why is that important to see?

¹⁶ Kaia Stern, *Voices from American Prisons: Hope, Education, and Healing* (New York: Routledge, 2015), ch.2; Timothy J. Gorrige, *God's Just Vengeance: Crime, Vengeance, and the Rhetoric of Salvation* (Cambridge: Cambridge University Press, 1996), p.140; see also Howard Zehr, *Changing Lenses: A New Focus for Crime and Justice* (Scottsdale, PA: Herald Press, 1990); Christopher D. Marshall, *Beyond Retribution: A New Testament Vision for Justice, Crime, and Punishment* (Grand Rapids, MI: Eerdmans, 2001), p.60; John Braithwaite and Heather Strang, eds., *Restorative Justice and Civil Society* (New York: Cambridge University Press, 2001); John Braithwaite and Heather Strang, eds., *Restorative Justice and Family Violence* (New York: Cambridge University Press, 2002)



3. How does God relate to Adam and Eve? Does He punish them?
4. Why does God not want Adam and Eve to live forever? Is that restorative or retributive?

Full Quotations

<p>‘[Zeus] would not give the strength of weariless fire to... mortal men who dwell on earth. But good son of Iapetos [Prometheus] deceived him, stealing the far-seen beam of weariless fire in a hollow fennel stalk. It stung anew Zeus high thunderer in his spirit, and he raged in his heart when he saw among men the far-seen beam of fire. Straightway, in return for fire he fashioned an evil for men. For the renowned Lame One [Hephaestus] molded from Gaia a likeness of majestic maiden through the plans of Kronides. Goddess gray-eyed Athena girded and dressed her in a silvery white garment. Down from her head, she drew with her hands a veil skillfully wrought, a wonder to behold. About her head Pallas Athena put fresh-budding garlands, flowers of the meadow, desirable things, around her head. About her, she put a golden band on her head that the renowned Lame One himself had made, working it with his hands, while pleasing his father Zeus. On it he had fashioned many skillful things, a wonder to behold, beasts as many as land and sea nourish, dreadful things. He put many of them on it, and grace breathed in all, wondrous, very like to living animals with voices... Wonder held immortal gods and mortal men, when they saw a sheer cunning, unmanageable for men. For from her [Pandora] is the descent of female women, for the race and tribes of women are destructive... [Zeus] bound the changeful-planning Prometheus with unbreakable fetters, painful bonds, and drove them through the middle of a pillar. And he sent a long-winged eagle upon him. Further, it ate his deathless liver, but there grew back all over during the night as much as the bird of long wings had eaten during the whole day.’ (Hesiod, <i>Theogony</i> 561 – 591; 519 – 526, part of the Greek ‘origin story’)</p>	<p>^{3:8} They heard the sound of the LORD God walking in the garden in the cool of the day, and the man and his wife hid themselves from the presence of the LORD God among the trees of the garden. ⁹ Then the LORD God called to the man, and said to him, ‘Where are you?’ ¹⁰ He said, ‘I heard the sound of You in the garden, and I was afraid because I was naked; so I hid myself.’ ¹¹ And He said, ‘Who told you that you were naked? Have you eaten from the tree of which I commanded you not to eat?’ ¹² The man said, ‘The woman whom You gave to be with me, she gave me from the tree, and I ate.’ ¹³ Then the LORD God said to the woman, ‘What is this you have done?’ And the woman said, ‘The serpent deceived me, and I ate.’ ¹⁴ The LORD God said to the serpent, ‘Because you have done this, cursed are you more than all cattle, and more than every beast of the field; on your belly you will go, and dust you will eat, all the days of your life; ¹⁵ and I will put enmity between you and the woman, and between your seed and her seed; he shall bruise you on the head, and you shall bruise him on the heel.’ ¹⁶ To the woman He said, [I will multiply your pain bringing forth human life] ¹⁷ Then to Adam He said, [I will multiply your pain bringing forth garden life] ²⁰ Now the man called his wife’s name Eve, because she was the mother of all the living. ²¹ The LORD God made garments of skin for Adam and his wife, and clothed them. ²² Then the LORD God said, ‘Behold, the man has become like one of Us, knowing good and evil; and now, he might stretch out his hand, and take also from the tree of life, and eat, and live forever’ – ²³ therefore the LORD God sent him out from the garden of Eden, to cultivate the ground from which he was taken. ²⁴ So He drove the man out; and at the east of the garden of Eden He stationed the cherubim and the flaming sword which turned every direction to guard the way to the tree of life. (Genesis 3:8 – 24, part of the Hebrew ‘origin story’)</p>
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**SESSION ONE:
CRIMINALITY, SCAPEGOATING, AND RETRIBUTION VS. RESTORATION
Leader's Notes**

Leader: The Main Idea

Discussing *The New Jim Crow* will bring up three major questions. First, do we have a racialized caste system? Michelle Alexander argues that we do, and that's why she calls it a 'new' Jim Crow. The old Jim Crow was a legalized way of discriminating against black people. The new Jim Crow has some of the same characteristics.

Second, we have to face the link between racial distance and the perception of criminality. They are mutually reinforcing. The more 'other' someone is to you, the more you see them as a threat.

Third, when we think about putting people in the criminal category, we have to ask whether retributive or restorative justice is more moral.

Part One: Criminality and Racial Perceptions

Note to leader: This is an important introduction. Allow people to sit with the discomfort of the quotations and facts.

1. What are your thoughts about the perceptions of criminality? (open responses)
2. Why do we need to discuss the perception of criminality as a racial thing?
 - a. Because the image of criminality has always been forced upon the African-American community.
 - i. First, during slavery, it looked like being shackled like prisoners in chain gangs. Why? Because criminals in England and Europe were shackled in chains.
 - ii. Second, during Jim Crow segregation, it was being hung on trees. Why? Because criminals in Europe were hung.
 - iii. Now, as Michelle Alexander argues, that continues in the form of stereotyping and implicit bias. The 'War on Drugs' and 'getting tough on crime' was coded language for 'African-Americans are criminal,' without having to use explicitly racial language. But it shows up explicitly in other ways.
 1. Dylann Roof, the 21 year old white male who shot 9 African-Americans in Charleston, SC said to them, 'I have to do it. You rape our women and you're taking over this country.' Notice he had to attribute criminality to the black community to make them less than human.
 2. Police officers often have an implicit bias about black people being more criminal.¹⁷
 - b. So when you have the chance to enforce laws in a lopsided way, to confirm your own racial bias about the criminality of black people, you do.
3. Why do I cite drug use statistics?
 - a. Because we'll be talking about the so-called 'war on drugs' in coming weeks. Michelle Alexander explains how the 'war on drugs' had racial motivations and effects. In the U.S., drug use has for a long time been stereotyped to certain ethnic groups, as the quote from Drug Policy shows.
 - b. Reference the documentary *The House I Live In*, which goes through this history. Watch the trailer: <https://www.youtube.com/watch?v=QsBDvxy5qQY>. Ty Burr of *The Boston Globe* says, "I'd hate to imply that it's your civic duty to see *The House I Live In*, but guess what – it is."
4. Thinking about criminal justice is a *spiritual discipline*:

¹⁷ Chris Mooney, 'The Science of Why Cops Shoot Young Black Men' (Mother Jones, Dec 1, 2014; <http://www.motherjones.com/politics/2014/11/science-of-racism-prejudice>); German Lopez, 'How Systematic Racism Entangles All Police Officers – Even Black Cops' (Vox, May 7, 2015; <http://www.vox.com/2015/5/7/8562077/police-racism-implicit-bias>). But a formal study done by psychologists shows that good training of police officers does reduce bias: 'Across the Thin Blue Line: Police Officers and Racial Bias in the Decision to Shoot' (American Psychological Association, Journal of Personality and Social Psychology, 2007, Vol.92, No.6; <http://www.apa.org/pubs/journals/releases/psp-9261006.pdf>)



- a. 'The abuse of justice in prisons continues to repose on the lazy, unreflecting belief on the part of the general public that prisoners deserve nothing better. [The] degradation of prisoners degrades all of us because it is in the name of all of us that they suffer their penalties... People [may be] too lazy to think through the consequences of strong emotions.'¹⁸
5. In what other ways have wealthy white people told poor white people that their problem was black (and brown) people?
 - a. Bacon's Rebellion: White indentured servants and enslaved Africans revolted against the governor in Virginia. The powerful white class passed the Virginia Slave Codes of 1705 which made slavery by race more pronounced, made it illegal for any black person to carry a gun, or strike a white person, or even employ a white person. 'But for those with eyes to see, there was an obvious lesson in the rebellion. Resentment of an alien race might be more powerful than resentment of an upper class. Virginians did not immediately grasp it. It would sink in as time went on.'¹⁹
 - b. Rupert Murdoch: Owner of Fox News, Wall Street Journal. He is a rich white person who stirs up a politics of fear, especially among poor whites, by reporting on 'crime.'

Part Two: Which God Do We Imitate?

Note to leader: I over-prepare you with the notes below. Please read through all the notes for your own preparation. It's important to hit the main points, but think through which questions might be especially important to discuss with your group.

The main idea here is that Zeus acts with retributive justice, and the God of the Bible acts with restorative justice. There are actually two different moralities embodied here. The four guiding questions are designed to help us see this dynamic. Notice the flow of the questions and how I think the discussion can happen. NOTE: If you have non-Christians, and especially people not excited about literary analysis, you might just want to give the interpretations up front about the difference between retributive and restorative justice.

Guiding Question #1: In the Greek creation story, how does Zeus respond to Prometheus, and to men?

6. Who are these characters? In Greek mythology, there were the titans, and the gods were their children who overthrew them. Prometheus is one of the titans. Zeus is king of the gods. Athena is goddess of wisdom. Hephaestus is the god of the forge (a blacksmith).
7. To punish men, what does Zeus do? He makes Pandora, a woman. She becomes the mother of all other women. What will women do to men, according to the poem? Cause trouble for men. Why is that seen as appropriate? Because men cause trouble for the gods.
8. To punish Prometheus, what does Zeus do? Zeus chains him to a rock pillar and has an eagle come tear out his liver every day. The eagle represents Zeus; it's his symbol. Prometheus is immortal, so he regenerates his liver. But it's a long torture. Why is that seen as appropriate? Not sure exactly, but it seems like Zeus retaliates! He says, 'You insulted me and hurt me, so I will insult you and hurt you.'
9. Needless to say, this is a very low view of women!
10. So if we were to model our justice system off of Zeus, what would we do? We might use torture. We would inflict pain on people because they inflict pain on us. This paradigm is retributive justice.

Guiding Question #2: Why does Adam blame Eve?

11. Does Adam own up to what He's done?
 - a. Not at first. Adam tries to be evasive by shifting the blame from himself to Eve ('this woman') and God Himself ('you gave me'). This reveals something very important about what sin has done in him and continues to do in us.

¹⁸ Michael Ignatieff, 'Imprisonment and the Need for Justice', *Theology*, 95/764 (1992) p.98

¹⁹ Edmund S. Morgan, *American Slavery, American Freedom: The Ordeal of Colonial Virginia* (New York: W.W. Norton & Company, 1975), p.270



12. Isn't Adam's perspective sinful?
 - a. YES. It is already skewed by the fact that he ate from the Tree, and freely, without any compulsion. He thinks he can define good and evil properly.
 - b. Notice that the effect of sin is that he thinks he is good, while Eve and God are evil. In reality, he is just shifting the blame. He has no one else to blame but himself.
 - c. Did Adam believe what he was saying? Is there anything that God could have said that would have made him confess the truth? Is this pointing to the need for God to diagnose human nature, sin? Eve is a little closer to repenting than Adam.
 - d. It seems like Genesis is cautioning men against blaming women for things. Genesis shows that Adam is shifting the blame.
13. Victim blaming is also tied to feeling shame, which Adam and Eve felt. Feel ashamed? Blame someone else for it.
 - a. Like in the case of rape, some men don't take any responsibility and instead blame women for dressing alluringly
 - b. In the case of racism, some people don't take any responsibility (personally and systemically) and instead blame African-Americans for absent fathers and broken families. See 'Victim Blaming' in Wikipedia (https://en.wikipedia.org/wiki/Victim_blaming)
 - c. Cain felt ashamed of himself and blamed his brother Abel, then killed him, and then blamed God (Gen.4:1 – 16). This is important because the pattern of sin repeats from one generation to the next. It is part of the argument of Genesis that human nature has indeed become corrupted.
 - d. But God doesn't allow us to just blame others. He sees through our excuses and defenses. He calls us forward into truth and responsibility and right relationship with Himself and others.
14. Part of the problem of racism in the U.S. is the psychology of criminality. Once we think we can blame people for something, anything, they fall into another category for us, the 'criminal' category, which is something less than human.
 - a. The notorious Stanford Prison Experiment – although it is not a good example for how to run a psychology experiment! – by psychologist Philip Zimbardo suggested this. The 2015 movie about the experiment shows the dynamics well. In the experiment, some students were asked to play guards and others were asked to play prisoners. Dr. Zimbardo played the warden, and didn't hold 'guards' accountable for abusing 'prisoners.' The 'guards' started abusing the 'prisoners.' Racism is similar. There is often no accountability, and you really start believing in the criminality of 'the other.'

Guiding Question #3: How does God relate to Adam and Eve once they had sinned?

15. First, He asks questions! Why do you think God asks questions? Doesn't He already know the answers?
 - a. Knowledge isn't the issue. Relationship is. Asking questions makes Adam and Eve step back into the relationship. Hence, we see that God cares about the relationship, and His way of dealing with human sin already shows that.
 - b. Illus: Have you ever seen parents ask their children questions, even when they know the answers? It's because parents want their children to tell the truth and confess. Or sometimes parents want their kids to be on the same page. 'Okay, tell me your version of the story...'
 - c. God cuts through their excuses and blame-passing.
16. Second, God seems to treat the serpent differently from Adam and Eve. How so? Why?
 - a. He pronounces doom on the serpent, straightaway, but he does not render that kind of judgment on people.
 - b. Ultimately, this is about Jesus being born of a woman, taking human nature to heal it and defeat the serpent. Jesus will share his victory with us. See Romans 16:20, 'The God of peace will soon crush Satan under your feet. The grace of our Lord Jesus be with you.'
 - c. Why did Adam name Eve in 3:21?
 - i. Well, if Eve means 'mother of living'... Because of God's prophecy that Eve will be the mother of the 'seed of the woman' who will bring true LIFE back to humanity.
 - ii. Adam blamed her before (3:12) but now God has made him look to her as an agent of blessing and redemption.



- iii. Adam and Eve are looking in hope to God's future work, His coming champion who will undo the work of the enemy.
 - iv. Application: What really helps human beings repent? Hope in God's restoration! Not fear.
17. Third, God pronounces what the *consequences* are on Eve and Adam. Yes, these are punishments in the sense that they are consequences, but God did not have to ADD THEM ON, on top of the intrinsic nature of the choices.
- a. Key Analogy: If my kids, who are young children, lock me out of the house, their life is going to be harder!! Their sin would be their own consequence. Adam and Eve have tried to cast God out of the world. Now God has to enter back in, in a way that is loving to human beings. He has to heal human nature itself.
 - b. Quote: 'The reason that 'sin' leads to 'death' is not at all (as is often supposed) that 'death' is an arbitrary and somewhat draconian punishment for miscellaneous moral shortcomings. The link is deeper than that. The distinction I am making is like the distinction between the ticket you will get if you are caught driving too fast and the crash that will happen if you drive too fast around a sharp bend on a wet road. The ticket is arbitrary, an imposition with no organic link to the offense. The crash is intrinsic, the direct consequence of the behavior. In the same way, death is the intrinsic result of sin, not simply an arbitrary punishment.' (N.T. Wright, *The Day the Revolution Began*, p.86)
 - c. The woman – who bears human life – will have difficulty in child birth; also, she – who comes from the man – will be alienated from the man
 - i. 'Desire' is interpreted variously. Many Jewish rabbis interpret it to mean sexual desire, but many other scholars view this term as involving more than that. It is a relational desire, to find her identity in her husband, or a man in general. Notice that in Gen.4:7, sin's desire is for Cain; and that desire is certainly not sexual!
 - ii. The Jewish commentators are almost unanimous in saying that 'he shall rule over you' is from the fall, not from creation.
 - iii. The phrase, 'I shall increase your pain in childbearing,' attributed to God should not be read as God actively inflicting pain upon every birthing mother. Instead, God had to withdraw from creation and close off access to the garden and the tree of life (see below), for humanity's own good. In so doing, God was put at a distance from His own creation. Everything having to do with producing life becomes painful and difficult, including childbearing. Adam and Eve displaced God from creation and that means He implicitly increases the pain of childbearing.
 - d. The man – who comes from the ground – will be alienated from the ground; although he was supposed to spread the garden, he will spread unwanted thorns and thistles as well
 - i. Thus the natural world is not what it was meant to be. We lost the power to shape it and bring forth the life that God intended. Nevertheless, we are still dependent on it but affected by it in ways that God did not intend (e.g. disease and sickness, inability to calm nature, etc.)
 - ii. And work is not what it was meant to be. It is 'toil' (3:17). Not the enjoyment of the spreading of garden life.
 - e. What is God doing to the man and the woman? Is He punishing them, or causing them pain just because they caused Him pain? I don't think so. Let's consider the last question.

Genesis, Guiding Question #4: Why does God not want Adam and Eve to live forever in 3:22?

18. Is God somehow jealous of them? Is He punishing them?
- a. It may seem that way, especially when we think of humans as 'knowing good and evil' like God.
 - b. But 'knowing good and evil' basically means 'determining good and evil.' Humans will now compete with God to *determine* what good and evil are.
19. What would happen if they ate from the tree of life?
- a. According to Genesis 3:22 – 24, the tree of life makes people live forever. However, it appears that the tree of life would have sealed humanity in whatever state they were in. After the fall, human beings were in a dying, corrupted state. This is why God expels human beings from the



garden. He doesn't want to deny humanity something good. He wants to protect them from something bad. He wants to prevent human beings from becoming dying beings, corrupted *forever*. Notice that in 3:22, God doesn't even complete His thought. He chokes on His own thought, the thought that humanity would be forever corrupted.

- b. SO THEY FORCED GOD TO CLOSE THE DOOR. We are very used to thinking that it's the other way around. That God wanted to *further* punish Adam and Eve. He didn't. God was choosing the lesser of two bad options. Because HE LOVED US.
- c. It's really significant that the earliest Christians thought this way. The earliest writing theologian outside the New Testament, Irenaeus, bishop of Lyons, who said this in around 185 AD:

'Wherefore also He drove him out of Paradise, and removed him far from the tree of life, not because He envied him the tree of life, as some venture to assert, but because He pitied him, [and did not desire] that he should continue a sinner for ever, nor that the sin which surrounded him should be immortal, and evil interminable and irremediable. But He set a bound to his [state of] sin, by interposing death, and thus causing sin to cease, putting an end to it by the dissolution of the flesh, which should take place in the earth, so that man, ceasing at length to live to sin, and dying to it, might begin to live to God.' (Irenaeus of Lyons, *Against Heresies* 3.23.6)

- d. Clement of Alexandria (c.150 – c.215 AD), a teacher at a Christian school in Alexandria, Egypt, makes these statements, not about the fall in particular, but about God's character and actions in general:

'Wherefore I will grant that He punishes the disobedient... for correction; but I will not grant that He wishes to take vengeance. Revenge is retribution for evil, imposed for the advantage of him who takes the revenge. He will not desire us to take revenge, who teaches us to pray for those that despitefully use us. [Mt.5:44]' (Clement of Alexandria, *Stromata* 1.8) 'But as children are chastised by their teacher, or their father, so are we by Providence. But God does not punish, for punishment is retaliation for evil. He chastises, however, for good to those who are chastised, collectively and individually.' (Clement of Alexandria, *Stromata* 7.16)

- e. See also Methodius, bishop of Olympus (died circa 311 AD), who agreed:

'In order, then, that man might not be an undying or ever-living evil, as would have been the case if sin were dominant within him, as it had sprung up in an immortal body, and was provided with immortal sustenance, God for this cause pronounced him mortal, and clothed him with mortality... For while the body still lives, before it has passed through death, sin must also live with it, as it has its roots concealed within us even though it be externally checked by the wounds inflicted by corrections and warnings... For the present we restrain its sprouts, such as evil imaginations, lest any root of bitterness springing up trouble us, not suffering its leaves to unclothe and open into shoots; while the Word, like an axe, cuts at its roots which grow below. But hereafter the very thought of evil will disappear.' (Methodius of Olympus, *From the Discourse on the Resurrection*, Part 1.4 – 5)

- f. Athanasius of Alexandria (298 – 373 AD), the advocate for the Nicene Creed and opponent of the Arian heresy, first to name the New Testament as it currently stands, said:

'For the Word, perceiving that no otherwise could the corruption of men be undone save by death as a necessary condition...' (Athanasius of Alexandria, *On the Incarnation* 8.1)

- g. Gregory of Nazianzus (329 – 390 AD), whom the Orthodox church calls 'the Theologian' in appreciation for his work in the Nicene-Constantinopolitan Creed (and they only share that title with the apostle John 'the Theologian' and Simeon 'the New Theologian'), agrees:



'Yet here too he makes a gain, namely death and the cutting off of sin, in order that evil may not be immortal. Thus, his punishment is changed into a mercy, for it is in mercy, I am persuaded, that God inflicts punishment.' (Gregory of Nazianzus, *Oration 45*)

- h. Maximus the Confessor (580 – 662 AD), the great Byzantine theologian and commentator on Gregory of Nazianzus, says,

'The phrase, "And now, lest he put forth his hand and take from the Tree of Life and live forever," providentially produces, I think, the separation of things that cannot be mixed together, so that evil might not be immortal, being maintained in existence by participation in the good.' (*Ad Thalassios*, Question 44.5)

- i. Here is a Jewish reflection on Genesis 3 from a book outside the Bible:

'God did not make death,
Neither does He have pleasure over the destruction of the living.
For He created all things that they might exist,
And the generations of the world so they might be preserved;
For there was no poison of death in them,
Nor was the reign of Hades on the earth.
For righteousness does not die.
But the ungodly summoned death by their words and works;
Although they thought death would be a friend, they were dissolved.'
(*Wisdom of Solomon* 1:13 – 16).

- j. Main Point: So God is actually exercising mercy. Death is a *consequence*, and *intrinsic punishment*, but not an additional, extrinsic *punishment added on to make the act seem so much worse*. It is also a protection. *So it is a mercy*.
- i. When God spoke about the pain of childbirth and of work in the garden, God was simply declaring what they had done. Because He loved them, He had to respect their choice to put distance between creation and God. They had turned away from the source of life, God, so everything they do that involves bringing forth life is now laced with pain and sorrow. God had given Adam and Eve the ability to partially exile Him from the world. So the curses are God just describing what's going to happen. *He is not adding something extra just to make them pay for sinning*.
 - ii. (again) Key Analogy: If my kids, who are young children, lock me out of the house, their life is going to be harder!! Their sin would be their own consequence. Adam and Eve have tried to cast God out of the world. Now God has to enter back in, in a way that is loving to human beings. He has to heal human nature itself.
 - iii. Is death the final word? No. God's true solution to death is to undo the reason for it: the corruption of human nature. This is why the Jews alone developed the sense that we are not just souls trying to escape the bad physical body, but that we are both soul and body seeking to be fully reunited. See Isa.25:6 – 8; 53:8 – 10; Ezk.37; Dan.12:1 – 3; Job 19:25 – 27.
 - iv. Does God call Adam and Eve to participate in their own restoration and the restoration of others? It seems like it.
 1. How was God going to defeat the evil serpent? Through a child of Eve. So they have to resume their marriage and who God made them to be, the first parents.
 2. Who passed down this story? The story portrays it as if Adam and Eve passed it down, though the generations. Passing down the story kept hope alive. It led to the idea of the Jewish Messiah, and for Christians, Jesus. This is the first happy ending story.
- k. (optional) And even the gateway God sets up at the garden will be fulfilled in Jesus. Two angels.



- i. Notice also that the two cherubim appear again over the lid of the ark of the covenant in the Tabernacle of Israel.
 - ii. What did this symbolize? That God stood at the threshold of heaven and earth in the midst of the Tabernacle/Temple. Israel was on the earthly side of that threshold. God was on the other side. And God stood to meet them there. He wanted to communicate with them and keep relationship with them and all humanity.
 - iii. What happens to the presence of God at this threshold? Does God always stay there? No. In John's Gospel, two angels in white sat at his tomb, one at where Jesus' head had been, one at where his feet had been (Jn.20:12). So Jesus was the new threshold of heaven and earth, in his own body. He is the person in whom God came to earth and lived among us. That completes the image that John was painting of Jesus being the dwelling place (he tabernacled among us; Jn.1:14) of God.
1. So this rupture between heaven and earth was not a permanent act. God always intended to overcome this rupture. He always intended to be the human champion and defeat evil, to clothe us with his own cleansed human nature, and to regain for us immortality!!
20. (optional) Why does God reclothe them in animal skins?
- a. They were more durable than fig leaves! This was a practical act.
 - b. Whose blood was contaminated and unclean now? Human blood.
 - c. Were animals corrupted creatures? No. They were innocent.
 - d. So God was clothing them with innocent life.
 - e. This was a prophetic act. God would reclothe them with human innocence one day, when He would come and wear humanity and cleanse it, in Jesus, and allow us to wear Jesus' new humanity.
 - f. This established the principle of sacrifice – the sacrifice of the innocent animal 'covers' (Hebrew word *kippur* is translated *to cover, to atone*) the shame and guilt of the human. The life in the blood probably also leaked into the ground, symbolically saying that this innocent life will help sustain humanity's guilty life on the land. This seems to be why God accepted Abel's sacrifice of animals, but not Cain's sacrifice of agriculture in 4:1 – 15.
21. (optional) How do we interpret God's action in sending Israel into exile, and then restoring them?
- a. Note: Moses, in Deuteronomy 28:63, uses a Hebrew word which indicates that God is 'pleased' to punish Israel through the exile, but the Hebrew word has the meaning of 'being content to' let the exile happen. There is a stronger word in Hebrew which could be used. It is significant that the biblical authors do not use that one.
 - b. Other biblical writers speak of the restoration on the other side of exile as delighting God's heart:
 - i. 'Who is a God like You, who pardons iniquity and passes over the rebellious act of the remnant of His possession? He does not retain His anger forever, because He delights in unchanging love.' (Micah 7:18)
 - ii. 'It will no longer be said to you, 'Forsaken,' nor to your land will it any longer be said, 'Desolate'; but you will be called, 'My delight is in her,' and your land, 'Married'; for the LORD delights in you, and to Him your land will be married. For as a young man marries a virgin, so your sons will marry you; and as the bridegroom rejoices over the bride, so your God will rejoice over you.' (Isaiah 62:4 – 5)
 - iii. 'Do I have any pleasure in the death of the wicked,' declares the Lord GOD, 'rather than that he should turn from his ways and live?' (Ezekiel 18:23)
 - iv. 'If you will indeed stay in this land, then I will build you up and not tear you down, and I will plant you and not uproot you; for I will relent concerning the calamity that I have inflicted on you.' (Jeremiah 42:10)
 - c. There were also precursors of Israel's exile and restoration in the life of David
 - i. 'For we will surely die and are like water spilled on the ground which cannot be gathered up again. Yet God does not take away life, but plans ways so that the banished one will not be cast out from him.' (2 Samuel 14:14)
 - ii. 'He also brought me forth into a broad place; He rescued me, because He delighted in me.' (2 Samuel 22:20)
 - d. This pattern is important because it speaks of God's larger purpose in restoring all humanity from exile.

Part Three: Two Lessons in Closing That We'll Continue to Reflect On

(1) We have to ask, ‘Are we going to choose retributive or restorative justice?’ If we believe in a God, we have to ask whether that God is retributive or restorative. If we are Christians, we always have to keep in mind that although we might impose consequences on some people, God seeks to restore us with our own partnership, so we need to do the same. God does not delight in punishing, so we cannot either. He delights in restoring (Lk.15), and so must we.

(2) This is especially important when we try to confront the psychology of racism. Within racism is the suspicion that other people (and in the U.S., black and brown people) are more ‘criminal’ than others. We think some people are irredeemable. But God seeks to restore all. That’s why I think racism is an emotional and spiritual issue.

One practical application is to rethink our sentencing system to be restorative, not retributive. Read below <http://www.vera.org/sites/default/files/resources/downloads/european-american-prison-report-v3.pdf>



Resources:

- Benjamin L. Corey, “Justice Broken: How a Poor Theology of the Cross Created America’s Broken Justice System,” *Patheos*, Jan.27, 2014; <http://www.patheos.com/blogs/formerlyfundie/broken-justice/>
- Timothy Gorringer, *God’s Just Vengeance: Crime, Vengeance, and the Rhetoric of Salvation* (1996)
- My list of resources: <http://www.newhumanityinstitute.org/resources.curriculum.tnjc.htm>