


RESEARCH ARTICLE

Reconceiving Christianity and the Modern Prison: On Evangelicalism's Eugenic Logic and Mass Incarceration

Jason S. Sexton 

Institute of the Environment and Sustainability and Department of Sociology, UCLA, USA
jasonsexton@ucla.edu

doi:[10.1017/jlr.2023.40](https://doi.org/10.1017/jlr.2023.40)

Abstract

In the aftermath of World War II, eugenics and the pseudoscientific base used to justify its practices are generally understood to have phased off the scene. If, however, eugenics never actually disappeared but has been persistent, and in turn becomes one of the best explanations for mass incarceration today, what role did Christianity—especially Evangelicalism—play in this unprecedented moment of imprisonment? Building on legal scholarship identifying the significant role of eugenic philosophy that manifests in penal policy and ongoing phenomena into the early twenty-first century, this article examines key figures in the backdrop of eugenics' particular early developments, and leading figures—namely, Billy Graham and Prison Fellowship's Chuck Colson—whose ministries operated in close proximity to the prison during the latter twentieth century and especially over the past fifty years as incarceration rates skyrocketed. After examining several important theological tenets reflected within Evangelicalism that are compatible with eugenic logic, a critical approach is developed drawing from more robust theological considerations that if appropriated earlier might have found evangelicals resisting the mass incarceration building efforts rather than supporting them.

Keywords: Evangelicalism; prisons; eugenics; mass incarceration; theology; Billy Graham; Chuck Colson

Relocating the Eugenics Conversation

In the aftermath of World War II, eugenics and the pseudoscientific base used to justify eugenic practices are generally understood to have phased off the scene. As the common understanding goes, the modern civilized world has no place for scientific research or ethical practices that reflect the ideas used by German Nazis to systematically exterminate Gypsies, homosexuals, disabled persons, Jewish persons, and others. The Nuremberg Trials that immediately followed the war (1945–1946) and the rejection of scientific knowledge gained through violent experiments precipitated the rejection of eugenics, and two UNESCO statements on race in 1950 and 1951 built on that momentum to settle the matter globally. Both social and natural scientists accordingly came to broadly agree that theories about hereditary difference between what were termed *races* that animated Nazi ideology



were untenable, based on faulty science.¹ Eugenics philosophy and policy became not only unattractive but was deemed evil. And yet all of this occurred after eugenics had long dominated earlier conversations about the future of humanity in academic and public circles.

The earlier twentieth-century eugenics movement had been committed to describing its research subjects in terms of so-called negative and positive aspects, and can be defined in-context as “an international effort to use science and medicine to justify limiting the reproduction—and existence—of individuals deemed to be of an inferior racial stock while promoting the reproduction of those thought to be racially superior.”² With postwar discussions about so-called positive or negative eugenics³ being squelched, by the 1960s eugenics seemed to totally disappear. Upon closer examination, however, research today—whether in newly defined fields such as biogenetics or bioethics, or in fields designated as *new genetics* or even *new eugenics*—concludes that regardless of how marginal it may have been, “eugenics more correctly waxed and waned than disappeared.”⁴

Newer revelations give the extended story, demonstrating that eugenics research and eugenics practices have been very much ongoing. Eugenics not only has endured in the popular public imagination, which some scholars believe has played “a major role in maintaining the myth of innate racial differences,”⁵ but has also continued quietly in academic circles and covertly in governmental institutional practices.⁶ All of this occurred even amid legal efforts to repair damages caused by forced eugenic practices.⁷ This is beyond what is found in today’s purportedly positive eugenic efforts such as the Human Genome Project, with its relevant theological problems, discussed below. Positive eugenics raises just as many serious questions as negative eugenics does, and perhaps more so due to its easy

¹ “Developed largely by Sir Francis Galton (1822–1911) as a method of (supposedly) ‘improving’ the human race, eugenics was increasingly discredited as unscientific and racially biased during the 20th cent., especially after its doctrines were adopted by the Nazis in order to justify their treatment of Jews, disabled people, and other minority groups.” *Oxford English Dictionary Online*, s.v. “Eugenics, n.,” <https://www.oed.com/view/Entry/86532712>.

² Osagie K. Obasogie, *Blinded by Sight: Seeing Race through the Eyes of the Blind* (Stanford: Stanford University Press, 2014), 24.

³ I refer to the conventional descriptions, initially drawing from Francis Galton, of positive eugenics as that which would increase the proportion of individuals with desirable traits and characteristics, and negative eugenics as that which would decrease the presence of those with undesirable traits and characteristics. Thus, positive eugenics resulted in active social and genetic engineering practices intended to improve individuals and society, while negative eugenics led to social engineering practices intended to eliminate what is detrimental within humans and their gene pool.

⁴ Alison Bashford, “Epilogue: Where Did Eugenics Go?,” in *The Oxford Handbook of the History of Eugenics*, ed. Alison Bashford and Philippa Levine (New York: Oxford University Press, 2010), 539–58, at 552.

⁵ Agustín Fuentes, *Race, Monogamy, and Other Lies They Told You: Busting Myths about Human Nature*, 2d ed. (Berkeley: University of California Press, 2022), 129. On ideology as basis for ongoing genetic research to support race as a biological category, see Alondra Nelson, *The Social Life of DNA: Race, Reparations, and Reconciliation after the Genome* (Boston: Beacon Press, 2016).

⁶ For example, in 2003 California governor Gray Davis issued an official apology for the part that California, with thirty-one other states, played in the eugenics practice of involuntarily sterilizing about 20,000 people between 1909 and 1964 (when the practice supposedly ceased) who were considered defective. Yet it was later revealed that as late as 2010, women prisoners continued to experience forced sterilization, leading to SB 1135 signed by Governor Jerry Brown in 2014, officially prohibiting forced sterilizations in California prisons. See Shilpa Jindia, “Belly of the Beast: California’s Dark History of Forced Sterilizations,” *Guardian*, June 30, 2020, <https://www.theguardian.com/us-news/2020/jun/30/california-prisons-forced-sterilizations-belly-beast>.

⁷ After much prodding, in 2021 California’s legislature reckoned with the trauma brought about by sterilizations of incarcerated women: Adam Beam, “California to Pay Victims of Forced, Coerced Sterilizations,” *AP News*, July 7, 2021, <https://apnews.com/article/california-business-science-health-government-and-politics-bb019f426cddb839790ac98d420a0224>.

identifiability, often carrying similar racist rationale.⁸ And if these horrifying eugenics practices once thought done away with actually never left, an in-depth assessment of the impacts and influence of eugenics' continuing effects is certainly in order. Yet I have a more modest aim: to trace recent findings from eugenics scholarship focused on mass incarceration in order to highlight the newly galvanized conversation and then supplement it with further insights from religion and theology.

Is mass incarceration rooted in and intertwined with eugenic philosophy? If so, does this entanglement become tighter, more inseparable, and stronger with a later twentieth-century rationale that incorporated the religious and theological with the pseudoscientific? This questioning develops the hypothesis that popular post-World War II assumptions about race, which trickled into criminal justice policy, were fueled by ongoing trust in eugenic philosophy similar to what existed in the prewar period. Genetic scientists continued to reenforce eugenic philosophy, even with research standing on shaky ground in different scientific fields and repeatedly debunked.⁹ Furthermore, these assumptions about race correlated with the presence of particular theological emphases that intertwined eugenic and theological logics with inherited ideological institution-building practices, especially within American Evangelicalism during its postwar rise to prominence within American and global Christianity. This all suggests that there may in fact be a much stronger linkage between eugenic philosophy, theology, and mass incarceration.

This inquiry carries distinct relevance especially if the penitentiary is understood in light of its genealogical and conceptual roots as substantially a theological construct rather than a secular entity.¹⁰ This would mean that everything about the modern prison's operations

⁸ I use the term *racist* and its derivatives to refer to the modern conception of ideological classifications of humans into social systems based on the idea of race. See Audrey Smedley and Brian D. Smedley, *Race in North America: Origin and Evolution of a Worldview*, 4th ed. (New York: Routledge, 2012), 12–14.

⁹ For example, see claims like this from the late 1990s: "The scientific and legal communities are on the edge of a new frontier with the discovery of genetic explanation for aggressive, violent behavior." Cecilee Price-Huish, "Born to Kill—Aggression Genes and Their Potential Impact on Sentencing and the Criminal Justice System," *SMU Law Review* 50, no. 2 (1997): 603–26. See also recent research by biochemist Jean Chen Shih on the MAOA warrior gene thesis, where MAOA deficiency in men was said to account for some criminal behavior. Her website (<https://sites.usc.edu/maogenes>) includes a section on the "human significance of MAO A genes" presented by Dr. Han Brunner, Shih's collaborator and the first person said to discover MAO A deficient men in a Dutch family, even though Brunner's study had only "six or seven" males, a questionable sampling for a legitimate scientific conclusion to be adoptable by the wider scientific research community. "MAO Deficiency and Aggression in Humans," Shih Laboratory, accessed September 12, 2023, <https://sites.usc.edu/maogenes/2021/06/28/mao-a-deficiency-and-aggression-in-humans>. See also S. Sohrabi, "The Criminal Gene: The Link between MAOA and Aggression," *BMC Proceedings* 9, A49 (2015), <https://doi.org/10.1186/1753-6561-9-S1-A49>; Y. Zhang-James et al., "An Integrated Analysis of Genes and Functional Pathways for Aggression in Human and Rodent Models," *Mol Psychiatry* 24, no. 11 (2019): 1655–67, <https://doi.org/10.1038/s41380-018-0068-7>. On the other hand, see the critical discussion of MAOA gene research in Fuentes, *Race, Monogamy, and Other Lies*, 140–41, and the conclusion in Robert Wald Sussman, *The Myth of Race: The Troubling Persistence of an Unscientific Idea* (Cambridge, MA: Harvard University Press, 2014). As Sussman writes, "I believe that in some fashion ... eugenics [is] still with us today ... in the new scientific racism and its claims by modern biologists and anthropologists that such complex human behavioral and cognitive characteristics as manic depression ... homosexuality, intelligence, and warriorism are still determined by single genes." Sussman, *The Myth of Race*, 209. See also Nils Roll-Hansen, "Eugenics and the Science of Eugenics," in Bashford and Levine, *The Oxford Handbook of the History of Eugenics*, 80–97, at 86. For a lengthier discussion of the complexities of interdisciplinarity in genetic research see Aaron Panofsky, "Plus ça change: Intelligence, Behavior, and Race," in *Unjust Malaise: How Genetics Confuses about Race* (forthcoming; on file with author). See also Aaron Panofsky, *Misbehaving Science: Controversy and the Development of Behavior Genetics* (Chicago: University of Chicago Press, 2014).

¹⁰ Winnifred Sullivan argues that the prison is a basic example of a religious cultural institution that demonstrates the state's inextricable linkage to religion. Winnifred Fallers Sullivan, *Prison Religion: Faith-Based Reform and the Constitution* (Princeton: Princeton University Press, 2009).

displays the secular state's ongoing misappropriation of theological tools.¹¹ Within that long genealogical story, I focus on the important role that evangelicals played in the more recent mass-incarceration building project. This more recent history is important because it highlights particular assumptions embedded within specifically eugenic ways of thinking that not only permitted but also helped to reenforce the cultural norms and assumptions that directed state decisions about what to do with those deemed not only troubling and criminal, but also dangerous and possibly even irredeemable.

Recent Eugenics Scholarship and Research on Mass Incarceration

Many scholars have studied eugenics as a pre-World War II historical phenomenon, occasionally focused on its resonating effects. But efforts have not always aimed to show the more disturbing ongoing connections. For instance, historian Miroslava Chávez-García has chronicled the racial science that contributed to the early twentieth-century building of California's juvenile justice apparatus, centered on Fred C. Nelles prison in Whittier, California. The well-known eugenicist Fred C. Nelles developed the prison, initially called Whittier State School, with the goal of redeeming and restoring boys to a "normal life," teaching them ideal values of citizenship albeit with little hope for the mentally deficient, many being youths of color and some whom Nelles concluded, "cannot be reformed."¹²

Similar to the stated (and generally accepted) purpose of the penitentiary at the time—"not only designed as a prison for punishment of persons who have offended against the law, but also as an institution which intends their reformation, if possible"¹³—what Chávez-García's research reveals is how this eugenic fieldwork in California, with all of its claims of objectivity and focus on the non-reformable, reflected a eugenic ethos that pervaded California's targeting of young delinquent Mexican children. Her careful historical work into eugenic practices yields insight into those harmed and killed under the state's watch—including resonances with her own transnational US-Mexican family history—paying attention to an inherited legacy still extant.¹⁴

While Chávez-García's scope of analysis was limited to the late nineteenth and early to mid-twentieth century, scholars Michael Yudell and Alexandra Minna Stern have been more explicit and thoroughgoing in charting the ongoing legacy of eugenics history throughout

¹¹ Today's private prisons, including so-called faith-based prisons, are functionally similar to secular prisons, ultimately serving state aims. See Brad Stoddard, *Spiritual Entrepreneurs: Florida's Faith-Based Prisons and the American Carceral State* (Chapel Hill: University of North Carolina Press, 2021), 67–69, 104–07. On the impact of Christianity for the development of Western civilization and its legacy, so much that it came to be hidden from view, see Tom Holland, *Dominion: How the Christian Revolution Remade the World* (New York: Basic Books, 2019); Terence Keel, *Divine Variations: How Christian Thought Became Racial Science* (Stanford: Stanford University Press, 2018).

¹² Miroslava Chávez-García, *States of Delinquency: Race and Science in the Making of California's Juvenile Justice System* (Berkeley: University of California Press, 2012), 68, citing Fred C. Nelles, "Wards of the State: Suggestions Regarding Their Scientific Segregation and Re-distribution into Proper Groups for Effective Treatment," *Biennial Report 1913–1914*, 11–12.

¹³ Rule II of the "General Rules" of the "Duties of Guards at California State Prison at Folsom," entry date January 1, 1909, Folsom State Record Book, p. 140, California State Archives, Sacramento.

¹⁴ Incidentally, while the editors of a 2015 special issue of *Journal of American History* claim that in her contribution to that issue, "Chávez-García reveals the thinness of the line between the early use of scientific theories of 'racial types' to advance innovation in punishment and late twentieth-century risk-assessment tools and sentencing guidelines," support for this claim of connections to the late twentieth century cannot be found in the published article. Kelly Lytle Hernández, Khalil Gibran Muhammad, and Heather Ann Thompson, "Introduction: Constructing the Carceral State," in "Constructing the Carceral State," ed. Kelly Lytle Hernández, Khalil Gibran Muhammad, and Heather Ann Thompson, special issue, *Journal of American History* 102, no. 1 (2015): 18–24, at 22; see also Miroslava Chávez-García, "Youth of Color and California's Carceral State: The Fred C. Nelles Youth Correctional Facility," in Hernández et al., "Constructing the Carceral State," 47–60.

the twentieth century and into the twenty-first century.¹⁵ Their work showcases the racial undercurrent in US-based biological science and also in explicit eugenics practices. And more and more findings are noting the prevalence of eugenics in Silicon Valley with early figures David Starr Jordan in the early twentieth century and William Shockley in the 1970s.¹⁶ Recently, the legal scholar and bioethicist Osagie K. Obasogie uncovered one instance of this legacy in 2020, spurring his effort to repurpose a \$2.4 million fund created in 1960 at the University of California, Berkeley, called the Genealogical Eugenic Institute Fund. Driven by concern over the continuing use of genetic technologies to exacerbate disparities—a eugenic practice *de facto* if not *de jure*—he faulted modern medicine, public health, and other scientific fields for their responsibility in legitimizing eugenic ideologies both past and present.¹⁷ This echoes Obasogie’s earlier work exploring how blind people make sense of race in the United States, developing the idea of race as social construct into a more particular understanding of the interactive process of how “vision” or “visual cues” comprise the broader social practices that constitute what is seen as “race.” He argues that these mediated social practices give racial boundaries a strong sense of “visual obviousness.”¹⁸ More recently his important co-edited collection of fifty-four chapters explores a range of issues that collectively provide a wider systemic analysis of important bioethical topics (including eugenics), with rationale to move forward in addressing biopolitical issues with more robust ethical considerations.¹⁹

An even more trenchant interrogation of contemporary eugenic philosophy comes from legal scholar Laura Appleman, who has been steady in her analysis of what she calls “the long tail of eugenics”—a conceptual tool used to help explain recent incarceration policies.²⁰ She argues that policies that generated our nationwide system of segregation and punitive detention arose from “attitudes about eugenics, class, and disability.”²¹ With careful historical analysis of how people from perceived deviant classes were treated in the United States and Europe, she notes that from the very beginning of America’s founding as a nation, the “treatment of the disabled was designed to quarantine away those individuals who were seen as ‘irredeemable members of the polity.’”²²

Building on hereditary science as “an easy way to formalize and legalize both class and racial difference,” Appleman identifies the growth of asylums in the Progressive Era as evolving with the American eugenics movement to incorporate increased focus on the

¹⁵ See Michael Yudell, *Race Unmasked: Biology and Race in the Twentieth Century* (New York: Columbia University Press, 2014); and for a lengthier treatment of California, see Alexandra Minna Stern, *Eugenic Nation: Faults and Frontiers of Better Breeding in Modern America*, 2nd ed. (Oakland: University of California Press, 2016).

¹⁶ Malcolm Harris, *Palo Alto: A History of California, Capitalism, and the World* (New York: Little Brown and Company, 2023), 101–23, 383–95.

¹⁷ Teresa Watanabe, “UC Berkeley Is Disavowing Its Eugenic Research Fund after Bioethicist and Other Faculty Call It Out,” *Los Angeles Times*, October 26, 2020, <https://www.latimes.com/california/story/2020-10-26/uc-berkeley-disavows-eugenics-research-fund>.

¹⁸ Obasogie, *Blinded by Sight*, 204. Incidentally, Obasogie begins the book with a framing from the theological distinction between faith and knowledge and from 2 Corinthians 5:7, “For we walk by faith, not by sight,” although throughout the remainder of the book he gives no further theological reflection *per se*. Obasogie, *Blinded by Sight*, xiii–xvi.

¹⁹ Osagie K. Obasogie and Marcy Darnovsky, eds., *Beyond Bioethics: Toward a New Biopolitics* (Oakland: University of California Press, 2018). See this need for centering ethics on other scientific fields like sustainability science in Jason S. Sexton and Stephanie Pincetl, “Seeking Common Ground between Theology and Science for Just Transitions,” *Zygon: Journal of Religion and Science* 57, no. 4 (2022): 849–68.

²⁰ Laura I. Appleman, “Deviancy, Dependency, and Disability: The Forgotten History of Eugenics and Mass Incarceration,” *Duke Law Journal* 68, no. 3 (2018): 417–78.

²¹ Appleman, “Deviancy, Dependency, and Disability,” 419.

²² Appleman, 436, quoting Alex Lichtenstein, “Flocatex and the Fiscal Limits of Mass Incarceration: Toward a New Political Economy of the Postwar Carceral State,” *Journal of American History* 102, no. 1 (2015): 113–25, at 124.

criminal, the delinquent, and the mentally ill who failed to adequately fit into society.²³ Among different “correct therapies” targeting persons deemed categorically “unfit,” “undesirable,” or “unemployable”—including involuntary sterilization laws to prevent reproduction—eugenic ideology directed at these groups became “deeply embedded in American popular culture, with pro-eugenic propaganda presented in movies, classrooms, laboratories, state fairs, and religious institutions, among others.”²⁴ The postwar 1950s in turn saw new attention given to the natural environment for its help in treating mentally ill and disabled persons, along with possibilities with psychotropic drugs and psychotherapy, where patients were institutionalized for less time, ultimately leading to a decline in asylum populations.²⁵

When in the 1960s and 1970s “the entire system” of confinement and segregation for disabled persons came under scrutiny, a mass closure of asylums and state institutions resulted. According to Appleman this did not mean the end of “the blatantly eugenic policies and principles that motivated their creation,”²⁶ since the mentally ill would remain (and do today) largely overrepresented in American prisons and jails. Historian Anne Parsons recently argued that, as a matter of fact, the asylum became the prison due to a broad shift in governance and rapid growth of the criminal legal system.²⁷ The persistent segregating and imprisoning of our most vulnerable citizens thus demonstrates, according to Appleman, a “reflexive and deeply ingrained habit”²⁸ that exposes the thin line between racial and class-based eugenic practices that built our current unprecedented moment of mass incarceration. She concludes: “Our desire to control those individuals who violate our societal norms—whether through crime, disability, mental illness, or poverty—has led us time and time again to tactics of imprisonment, coercive medical procedures, and institutionalization. The ties between institutionalization, eugenics, and social engineering have led to the imprisonment of a significant percentage of our population, for remarkably similar reasons as we did in the nineteenth and twentieth centuries. We simply do so in different types of carceral institutions.”²⁹

Building directly upon Appleman’s efforts,³⁰ American carceral governance scholar Jonathan Simon details how the expressed precommitment of Progressive Era Supreme Court justice Benjamin Cardozo (1870–1938) yielded a eugenic view of law and crime policy that resulted in what Simon calls a “judicial realism” that began to govern criminal legal matters in characteristically eugenic ways. Simon finds this realism expressed through homing in on the “dangerous minority” for whom redemption and reform is either impossible or at least unlikely, with weak law enforcement constituting the cultural weak link of the criminal system, and where punishment began to focus on “the criminal” instead of the crime.³¹

²³ Appleman, 434–37.

²⁴ Appleman, 440–43. On religious institutions and leaders during this time period, see Christine Rosen, *Preaching Eugenics: Religious Leaders and the American Eugenics Movement* (New York: Oxford University Press, 2004).

²⁵ Appleman, “Deviancy, Dependency, and Disability,” 451.

²⁶ Appleman, 457–61.

²⁷ Anne E. Parsons, *From Asylum to Prison: Deinstitutionalization and the Rise of Mass Incarceration after 1945* (Chapel Hill: University of North Carolina Press, 2018), 5.

²⁸ Appleman, “Deviancy, Dependency, and Disability,” 474. See a similar idea—the collective social body in its entirety is opposed to the one who has caused offense and is to be punished—in Michel Foucault, *Discipline and Punish: The Birth of the Prison*, translated by Alan Sheridan (New York: Penguin, 1977), 90.

²⁹ Appleman, “Deviancy, Dependency, and Disability,” 462.

³⁰ See his review of Appleman’s article. Jonathan Simon, “The Long Tail of Eugenics,” *JOTWELL*, November 5, 2019, <https://crim.jotwell.com/the-long-tail-of-eugenics/>.

³¹ Jonathan Simon, “‘The Criminal Is to Go Free’: The Legacy of Eugenic Thought in Contemporary Judicial Realism about American Criminal Justice,” *Boston University Law Review* 100, no. 3 (2020): 787–815.

Simon's argument concentrates on the eugenic logic present in Cardozo's famous statement from the 1926 ruling in *People v. Defore*: "The criminal is to go free because the constable has blundered." Simon interprets this well-known statement in light of its nostalgic description of police and the concern of a criminal on the loose, out lurking in society because he was not apprehended and put away. He sees this as condensed evidence of a eugenic penal policy that demonstrates the essence of a broader eugenic program built to respond to America's alarming crime problem in the interwar years. This statement was recently reappropriated by Chief Justice John Roberts over eight decades later in his 2009 ruling in *Herring v. United States* (without direct citation), and yet with further description of the so-called criminal, which Simon understands to be making the eugenic agenda within American crime control even more explicit than it was in Cardozo's day. Despite having much evidence of allegedly excessive social costs in cases where police violated Fourth Amendment privacy protections, Roberts nevertheless identifies the defendants in such cases who get off (or "go free") as not only "criminal," but he also added that this axiom is a rule which when applied bears the cost of allowing guilty individuals to go free who are also quite "possibly dangerous" and as such offers an offense to the "basic concepts of the criminal justice system."³²

Simon builds on Appleman's claim that crime and mental illness (or, deemed degeneracy due to mental illness)³³ came to be seen as the same problem in the first half of the twentieth century, arguing that this phenomenon leads directly to "the eugenic template for crime control" in the United States. What then extended from the early twentieth century categories identified by Appleman into the twentieth century's second half, resulting in mass incarceration, was the presumed and unquestioned view in the Lyndon Johnson administration that "the major threat of crime was anchored in Black communities." Simon draws upon the work of Elizabeth Hinton and Khalil Gibran Muhammad for the argument that Black people became the primary targets of criminal justice efforts directed at criminal threats, with Black people deemed far more dangerous than other light-skinned immigrants.³⁴ Naturally, the racial bias toward Blackness led to the condemnation of other groups by extension, and maintained the ongoing thrust of eugenic thinking for social control as the war on crime kicked into high gear.³⁵

Advancing the argument still further in light of Covid-19,³⁶ Laura Appleman widens the lens on eugenics—beyond both its trajectory from the founding era to twentieth-century American ideas on deviance and Simon's argument for an ongoing judicial realism—to include what she terms "pandemic eugenics." Concerned about the frequent and persistent use of the "eugenics blueprint" to treat captive and vulnerable populations poorly, Appleman developed a call for three concrete action points to eradicate the hidden patterns of

³² Simon, "The Criminal Is to Go Free," 810–11, quoting *People v. Defore*, 150 N.E. 585, 587 (N.Y. 1926), and *Herring v. United States*, 555 U.S. 135, 148 (2009) (emphasis added by Simon). For more on the "dangerous" individual, see the following: Michel Foucault, "About the Concept of the 'Dangerous Individual' in 19th Century Legal Psychiatry," *International Journal of Law and Psychiatry* 1, no. 1 (1978): 1–18; John Irwin, "Disposal of the New 'Dangerous Class,'" in *The Warehouse Prison: Disposal of the New Dangerous Class* (Los Angeles: Roxbury, 2005), 207–44.

³³ See also the religious rhetoric in criminological and scientific approaches to the so-called degenerate at the early part of the twentieth century in Dennis L. Durst, *Eugenics and Protestant Social Reform: Hereditary Science and Religion in American, 1860–1940* (Eugene: Pickwick, 2017), 35–42.

³⁴ Simon, "The Criminal Is to Go Free," 808. See Khalil Gibran Muhammad, *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America* (Cambridge, MA: Harvard University Press, 2010).

³⁵ For his detailed exposition of the shift in twentieth-century American crime control policies see Jonathan Simon, *Governing through Crime: How the War on Crime Transformed American Democracy and Created a Culture of Fear* (New York: Oxford University Press, 2009).

³⁶ On the role of religion in the pandemic, see Jason S. Sexton, "The Critical Study of Religion and Division in the Age of Covid-19," *International Journal of Public Theology* 15, no. 2 (2021): 157–76.

eugenic thinking in American culture today: (1) teach the complicated eugenics history at all levels of education; (2) contextualize historical scientific discoveries; and (3) create a permanent commission on ethics and eugenics.³⁷ This call to vigilance appropriately acknowledges that eugenics is about actions and practices; but it also draws from *thinking*, whether in positive or negative forms. Together with continued actions prompted by this thinking, eugenic efforts of the past and present remain based on wide-ranging ideological commitments not only explicitly employed to support eugenic efforts, but also spectrally implied and subtly layered with complicit supporting ideas, including from religion and theology. To consider the development and further reach of these ideas, this article now turns to the prison and Christian theology to establish additional correlative nodes of discovery.

Christianity, Carceral Logic, and Eugenic Philosophy

The unprecedented scale of human caging known today as mass incarceration is novel in the history of civilization. Even Michel Foucault, one of the harshest critics of the modern prison, did not quite foresee the situation growing as it did near and after his untimely 1984 death. Had he, his critical research may have ventured further into the Christian roots of modern carceral logic,³⁸ with far deeper analysis than given in his 1975 work, *Surveiller et Punir: Naissance de la Prison (Discipline and Punish: The Birth of the Prison)*, in which he deemed the modern prison emerging around 1800.³⁹ While investigations into Christian texts from antiquity begin to identify the deep theological roots of the current carceral apparatus,⁴⁰ explorations into Christianity's more recent contributions to the shape of the modern prison reveal the genealogical features of mass incarceration's emergence not only from twentieth-century eugenic logic but also passing through the rise of Evangelicalism amid its postwar moment of unprecedented affluence.⁴¹

Of course this all proceeds against the backdrop of seventeenth and eighteenth century Evangelicalism, a transdenominational Protestant movement emerging during the height of the transatlantic slave trade, an enterprise animated by the logic of what Rebecca Anne Goetz calls, "hereditary heathenism," which could be counteracted only through baptism.⁴² Perverted biblical interpretations appearing during this time yielded the creative

³⁷ Laura I. Appleman, "Pandemic Eugenics: Discrimination, Disability, and Detention during COVID-19," *Loyola Law Review* 67, no. 2 (2021): 51–60; see also Laura I. Appleman, "Hidden in Plain Sight: Eugenics, Public Health, & COVID-19," *Harvard Public Health Review*, no. 30 (2021), <https://harvardpublichealthreview.org/30-article-appleman/>.

³⁸ Perhaps in ways similar to those in the fourth volume of his *History of Sexuality* (posthumously published in 2018 as *Les Aveux de la Chair*), in which Foucault grapples with the early church fathers, shifting his research focus largely from the later medieval and early modern periods to much earlier historical material. See Stuart Elden, "Review: Michel Foucault, *Histoire de la sexualité 4: Les aveux de la chair*," *Theory, Culture & Society* 35, nos. 7–8 (December 2018): 293–311. An English edition is now available. Michel Foucault, *Confession of the Flesh*, volume 4, *The History of Sexuality*, ed. Frederic Gros, trans. Robert Hurley (New York: Penguin Random House, 2021).

³⁹ See David Garland, *Punishment and Modern Society: A Study in Social Theory* (Chicago: University of Chicago Press, 1990), 157–62. We know now that Foucault's timeline starts too late, with the same conceptual apparatus found in sixteenth century Dutch houses of correction, for example. Garland, *Punishment and Modern Society*, 204.

⁴⁰ See, for example, Julia Hillner, *Prison, Punishment and Penance in Late Antiquity* (Cambridge: Cambridge University Press, 2015); Ryan S. Schellenberg, *Abject Joy: Paul, Prison, and the Art of Making Do* (Oxford: Oxford University Press, 2021).

⁴¹ In transatlantic perspective, see Brian Stanley, *The Global Diffusion of Evangelicalism: The Age of Billy Graham and John Stott* (Nottingham: Inter-Varsity Press, 2013).

⁴² Rebecca Anne Goetz, *The Baptism of Early Virginia: How Christianity Created Race* (Baltimore: Johns Hopkins University Press, 2012). See also Katharine Gerbner, *Christian Slavery: Conversion and Race in the Protestant Atlantic World* (Philadelphia: University of Pennsylvania Press, 2018). Gerbner argues for the historical precedence of Protestant Supremacy ahead of White Supremacy. For a lengthier well-documented account of the use of scripture

innovation of “biblical polygenesis,” contending that the Bible regarded “Black-skinned people as a species separate from the white-skinned,” which historian Mark Noll argues was “an effort to jam the conclusions of the ethnologists into a biblical frame.” Noll further recounts how several late-nineteenth century interpretations read Black people as created in the Genesis account with the other “beasts,” posturing a kind of “deference to Scripture while dwelling mostly on geographical, anthropological, cranial, and other cultural ‘proofs’ for Black inferiority drawn from the surging school of scientific racism.”⁴³ The nineteenth century marked a time when evangelicals were becoming increasingly divided over controversial matters related to scripture, tradition, and cultural engagement and continued to build their institutions in the midst of these controversies.

The Situation at Princeton Seminary: Between Science and Racist Fundamentalism

One such controversy happened at Princeton Seminary between two figures generally understood to represent major tributaries into twentieth-century Evangelicalism: Benjamin B. Warfield (1851–1921) and J. Gresham Machen (1881–1937). Both Warfield and Machen are claimed by stalwarts among today’s reformed evangelicals and those drawing from more fundamentalist notions of Evangelicalism.⁴⁴ The dispute between Warfield and Machen focused on race, including what might be understood to be each’s approach to eugenic thinking.

Raised in the South, Warfield had been a staunch opponent of racism, referring to it as “the spirit of caste” operating in a “wicked caste” society.⁴⁵ He saw racism as inconsistent with the unity of the human race created through Adam in God’s image, and the unifying entailments of the gospel of Christ.⁴⁶ With his positions firmly established in light of the growing eugenic sentiments behind the scientific thinking of his day, his explicit position against polygenism (as a conceptual tool for parsing out races) was uncompromising. Mark Noll and David Livingstone point out that for Warfield both science and scripture taught “the organic solidarity of all human stock.” Summarizing Warfield, they write, “The racist undercurrents in much of the era’s polygenist polemic, which implied that humankind comprised several distinct biological species, Warfield unhesitatingly attributed to an ugly, if deep-seated, racial pride.”⁴⁷

Warfield’s position becomes critically important in light of the sentiments of his junior colleague Machen, who vehemently opposed Warfield’s efforts to integrate Princeton

in the making of race and scientific racism, see Colin Kidd, *The Forging of Races: Race and Scripture in the Protestant Atlantic World, 1600–2000* (Cambridge: Cambridge University Press, 2006).

⁴³ Mark A. Noll, *America’s Book: The Rise and Decline of a Bible Civilization, 1794–1911* (Oxford: Oxford University Press, 2022), 482–86.

⁴⁴ George M. Marsden has called a fundamentalist “an evangelical who is angry about something.” George M. Marsden, *Understanding Fundamentalism and Evangelicalism* (Grand Rapids: Eerdmans, 1991), 1. See also his account of the development of fundamentalism’s post- World War II shift. George M. Marsden, *Reforming Fundamentalism: Fuller Seminary and the New Evangelicalism* (Grand Rapids: Eerdmans, 1987).

⁴⁵ See Benjamin B. Warfield, “A Calm View of the Freedman’s Case [1887]”; and “Drawing the Color Line [1888],” in *Selected Shorter Writings: Benjamin B. Warfield*, vol. 2, ed. John E. Meeter (Phillipsburg: Presbyterian and Reformed, 1973), 735–50. On the notion of “wicked caste,” see Bradley J. Gundlach, “‘Wicked Caste’: Warfield, Biblical Authority, and Jim Crow,” in *B. B. Warfield: Essays on His Life and Thought*, ed. Gary L. W. Johnson (Phillipsburg: Presbyterian and Reformed, 2007), 136–68.

⁴⁶ For a lengthy account of Warfield’s views on race and racism, see Fred G. Zaspel, “Reversing the Gospel: Warfield on Race and Racism,” *Themelios* 43, no. 1 (2018): 25–33.

⁴⁷ Mark A. Noll and David N. Livingstone, “Introduction: B. B. Warfield as a Conservative Evolutionist,” in *B. B. Warfield, Evolution, Science, Scripture: Selected Writings*, ed. Mark A. Noll and David N. Livingstone (Grand Rapids: Baker, 2000), 40.

Seminary's dorm rooms.⁴⁸ Recent archival discoveries by Timothy Isaiah Cho reveal that in a letter dated October 5, 1913, Machen wrote to his mother of being "intensely angry to hear people talking glibly about equal civil rights of negroes," which on his account meant that in the South "white men" would be "unsafe" and without governmental protection. Claiming to have support from the entire faculty in opposition to Warfield's integration efforts, Machen asserted that Warfield's views, which he elsewhere calls "Black Republicanism," are "bitterly lacking in appreciation of the facts of human nature."⁴⁹ Machen's fear of integrationism needs to be understood in light of the subsequent development of his fundamentalist ideology (and its reductionistic theological anthropology) that was not as much anti-science as it was thoroughly forged in opposition to liberal "modernism."⁵⁰

According to historian George Marsden, Machen's writings display "careful historical research and argumentation." But his fundamentalism, while not a priori ruling out supernaturalist and miraculous explanations of historical-biblical matters, led him to "start out with the hypothesis that biblical claims should be taken at face value," from which basis he would then argue that a particular hypothesis "better explained the facts than any other."⁵¹ Committed to a correspondence theory of truth, his views differed with modernists over the relationship between facts and interpretation, with his preconceived notions of what biblical facts of history would be trusted, including an apparent commitment to a racist polygenism that, in true fundamentalist style, he was militantly willing to fight over. This did not mean that Machen's opposition to modernism also amounted to a distrust of science, since he did accept a modest form of biological evolution, although not from earlier forms of life.⁵² But his selective approach to science also supported the foregone conclusion of his deep-seated, ignorant, and arrogant racism grounded in a presupposition that generated his cognitive dissonance toward both the actual facts of science (because he had his own preconceived "facts") and toward Warfield's anti-polygenic argument that incorporated science with a careful and robustly theological reading of scripture. Machen then was committed both to traditional religious and theological tenets and a view of history and science that squarely rested on these, and he was therefore against a modernism that would have explicitly endorsed eugenic efforts such as those advocated by the science of the day that gave rise to the American Eugenics Society in 1926. Yet he retained a literalistic reading

⁴⁸ On Machen's racist southern sentiments, see Marsden, *Understanding Fundamentalism*, 194–97.

⁴⁹ See Timothy Isaiah Cho, "J. Gresham Machen: Warfield's Views Are 'Black Republicanism,'" November 27, 2018, <https://timothyisaiahcho.medium.com/j-gresham-machen-warfields-views-are-black-republicanism-f44fa49c7bff>. See also Cho's Twitter account of the letter's content: Timothy Isaiah Cho (@tisiahcho), X [formerly Twitter], Sept. 2, 2018, 11:16p.m., <https://twitter.com/tisiahcho/status/1036452900875063296?s=20>. See his analysis in Timothy I. Cho, "A Tale of Two Machens: How a Christian 'Hero' Let White Privilege Color His Theology," *Faithfully Magazine*, accessed January 28, 2024, <https://faithfullymagazine.com/tale-of-two-machens/>.

⁵⁰ See, for example, J. Gresham Machen, *Christianity and Liberalism* (Grand Rapids: Eerdmans, 1923); J. Gresham Machen, *The Christian View of Man* (Grand Rapids: Eerdmans, 1937). While polemical, these show limited direct understanding of the careful conversations happening among his opponents with whom his ideas conflicted. On the lingering conflicts in the later twentieth century among evangelicals seeking either to draw from or move away from modernism, see Andrew Hartman's brief account of Francis Schaeffer (1912–1984), who was one of Machen's students and later "helped American evangelicals reconcile their fundamentalist readings of scripture to modernity." Andrew Hartman, *A War for the Soul of America: A History of the Culture Wars*, 2nd ed. (Chicago: University of Chicago Press, 2019), 81–84. See also Charles Colson and Nancy Pearcey, *How Now Shall We Live?* (Wheaton: Tyndale House, 1999), who draw from Machen for his fundamentalist heroism of foregone conclusions about history, and bold proclamatory preaching of ideas that can shape culture to conform more with Christianity (with, however, quite a thin ecclesiology).

⁵¹ Marsden, *Understanding Fundamentalism*, 189–92, at 189.

⁵² D. G. Hart suggests that the Machen's limited acceptance of biological evolution shows a hesitancy that reveals "sympathy with fundamentalist hostility toward evolution." D. G. Hart, *Defending the Faith: J. Gresham Machen and the Crisis of Conservative Protestantism in Modern America* (Phillipsburg: Presbyterian and Reformed, 2003), 98.

that was principally structured by his polygenist worldview, which put his theology in league with modernist eugenic views insofar as they both maintained divisions among the so-called races.⁵³

Warfield's theological anthropology, on the other hand, reflected not only a more careful attention to science, but also more traditional Calvinistic views regarding the unity of all human stock (hence, anti-racist) and matters of human disability and criminality.⁵⁴ This meant he found no extra-categorical anthropological (that is, *racist*) descriptions of humans reflected in the fundamentalist understanding. On the nature of scripture and its sufficiency (or perfection and completeness), Warfield noted that the Westminster Confession "forgets neither the subjective disabilities of fallen man, nor his needs outside the sphere of things necessary for God's glory, man's salvation, faith and life." The notion of human "disability" amid fallenness is contrasted with scripture alone and its "objectively complete and perfect" nature, while matters remain completely otherwise with humanity, being both incomplete and imperfect in the theological sense.⁵⁵ For Warfield, related to the imperfection of the fallen world is the idea of "personal criminality," conceived also in a theological (soteriological) sense: "we have become sinful, we are all entirely sinful." For Warfield, both "disability" as he defined it and "criminality" were *theological* conditions, conceived soteriologically wherein the unity of the human race was marked by "estrangement" and "alienation" *from God* rather than by any necessarily secular definition, however defined by science or otherwise within the wider society.⁵⁶

Eugenics and The Wider Christian World

The two key figures above highlight developments in the wider Christian world based on inherited logics regarding race, but by and large no direct engagement with eugenics per se. In the wider Protestant world, it was among progressive, liberal, modernist Protestants—who often challenged their churches to conform to modern circumstances—where eugenics came into vogue. Christine Rosen described these men as "[theologically] creative, deliberately vague, or perhaps ... [also] deeply confused." Yet their resolved purpose, distinct from Machen, was to face the challenges of modernity by fully engaging and embracing the so-called scientific solutions to the human problems of the day, which meant the embrace of eugenics.⁵⁷ But while modernist, liberal Protestants embraced eugenics, so did a number of Catholics. The most prominent figure to join the American Eugenics Society was Father John

⁵³ See the description of the various fundamentalists who were opposed to eugenics in Rosen, *Preaching Eugenics*, 184–85.

⁵⁴ On Calvin's views on the unity of humanity, including those who cannot defend themselves and those "unworthy" of good being done to them, see Marjokein de Mooij, "People Are Born from People: Willem van den Bergh on Mentally Disabled People," in *Disability in the Christian Tradition: A Reader*, ed. Brian Brock and John Swinton (Grand Rapids: Eerdmans, 2012), 321–52, at 329–30.

⁵⁵ Benjamin B. Warfield, *The Works of Benjamin B. Warfield*, vol. 6, *The Westminster Assembly and Its Work* (1932; repr., Grand Rapids: Baker, 2000), 227. Note also that Warfield's use of *disability* dealt with incapacitation in the theological sense and not exclusively in the physical or mental senses although the term *disability* had been in use since the sixteenth century to describe, "A physical or mental condition that limits a person's movements, senses, or activities." *Oxford English Dictionary Online*, s.v. "Disability, n.," <https://www.oed.com/view/Entry/53381>. For an acknowledgment of the complexity of the modern notion of disability in light of recent discoveries within theological anthropology, see Brian Brock, "Introduction: Disability and the Quest for the Human," in Brock and Swinton, *Disability in the Christian Tradition*, 1–23, at 1–11.

⁵⁶ Benjamin B. Warfield, *The Works of Benjamin B. Warfield*, vol. 8, *Perfectionism, Part Two* (1932; repr., Grand Rapids: Baker, 2000), 126.

⁵⁷ Rosen, *Preaching Eugenics*, 184. For a careful survey of Protestant involvement with the eugenics movement, see Durst, *Eugenics and Protestant Social Reform*.

A. Ryan (1869–1945), who later became Monsignor Ryan, advisor to President Franklin D. Roosevelt.⁵⁸ Ryan and the only other Catholic to join the American Eugenics Society, Father John M. Cooper, eventually departed the organization in 1930 over eugenicists' support of compulsory sterilization, birth control, and the liberalization of divorce laws. By the 1930s the American Catholic retreat from eugenics was complete,⁵⁹ although rationales for the departure included more than simply Catholic approaches to reproduction.

It was the Protestant economist Richard T. Ely (1854–1943) who influenced Father Ryan's involvement with eugenics. A significant leader in the Progressive movement and somewhat of a labor socialist advocating for Christian principles for problems in the world, Ely offered a positive eugenic approach to the "degenerate classes." Seeking to advance humanity in light of the principle of "modern penology," Ely believed that criminals should be incarcerated "until thoroughly reformed," restricting their ability to reproduce. He thought that by institutionalizing the "paupers and feeble-minded," their lack of reproduction would be accomplished through state regulation.⁶⁰ Ely maintained that some people could not ever be cured, which should then, in his view, give way to state governance of the incurables. His views offered support for the social scientists of his day who asserted that "these hopelessly lost and lapsed should not be allowed to propagate their kind."⁶¹

Father John Ryan refused to venture down the path with Ely on this point, unwilling to concede to any form of state removal of so-called undesirables from the gene pool. Charles McDaniel argues that this difference of views between them was likely due in part to their Catholic and Protestant differences, with Ryan understanding Ely's approach to be consistent with the "more individualized Christian ethics" of Protestantism as opposed to his own Catholic tradition with its more communal focus.⁶² Together with John Ryan, several other prominent Catholic figures such as Dorothy Day and the British writer G. K. Chesterton⁶³ also strongly opposed eugenics, which was, of course, not enough to deter Hitler (a Catholic)⁶⁴ or Germany under the Third Reich, where a first attack on "bad genes" came with the sterilization programs legalized in the 1933 "Law for the Prevention of Genetically Ill

⁵⁸ In attempting to defend Catholics in this moment, moral theologian John Berkman suggested in response to an earlier draft of this paper that "Ryan's brief flirtation" with eugenics was probably connected to his working closely with the Roosevelt administration. However, actually becoming a member of the American Eugenics Society is far more than a brief flirtation; the direct influence of Richard Ely (described in the next paragraph in the main text) is well established; and his involvement with Roosevelt did not happen until after Roosevelt became President of the United States in 1933, which was years after Ryan had left the American Eugenics Society.

⁵⁹ Rosen, *Preaching Eugenics*, 169. See also Sharon M. Leon, *An Image of God: The Catholic Struggle with Eugenics* (Oxford: Oxford University Press, 2013), 36–68.

⁶⁰ See Charles McDaniel, "John A. Ryan and the American Eugenics Society: A Model for Christian Engagement in the Age of 'Consumer Eugenics,'" *Journal of Religion and Society*, no. 22 (2020): 1–22, at 11, citing Richard T. Ely, *Studies in the Evolution of Industrial Society* (New York: Macmillan, 1903), 173–81.

⁶¹ McDaniel, "John A. Ryan and the American Eugenics Society," 11, citing Richard T. Ely, "Pauperism in the United States," *North American Review* 152, no. 413 (1891): 395–409, at 407. In that same article, Ely discusses how Germany's Laborer Colonies for the "dependent classes" were deemed as having "succeeded well" for the "morally incurable" and "dependent classes." Ely, "Pauperism in the United States," 407. Note a similarity of description used by Justice Oliver Wendell Holmes in his 1927 decision in the famous sterilization case, *Buck v. Bell*, concluding that "Three generations of imbeciles are enough," with the only dissenting vote on the court being from a Catholic, Associate Justice Pierce Butler. *Buck v. Bell*, 274 U.S. 200, 207 (1927).

⁶² McDaniel, "John A. Ryan and the American Eugenics Society," 12.

⁶³ See G. K. Chesterton, *Eugenics and Other Evils* (New York: Cassell, 1922).

⁶⁴ While there is some dispute among historians and Catholic moral philosophers and theologians about whether Hitler was actually a Catholic, it is a historical fact that he was never excommunicated from the Roman Catholic Church by any bishop or pope.

Progeny.”⁶⁵ Amounting to outright warfare against society’s most weak and vulnerable, Hitler’s practices mimicked those in the United States, especially California.⁶⁶

Dietrich Bonhoeffer responded to the situation with a 1934 evening sermon at St. Paul’s Church, London, taking as his text a line from the apostle Paul’s second letter to the Corinthians, in which Paul reports that the Lord has said to Paul, “My strength is made perfect in weakness” (2 Corinthians 12:9 [KJV]). Bonhoeffer’s sermon reflected on the mystery of poor people, ill people, and insane people who rely on others for help, love, and care. He considered the dilemma of hopelessness for the crippled, the socially exploited, “a colored man in a white country,” and an untouchable—all destined to perish under “an aristocratic philosophy of life which glorified strength and power and violence as the ultimate ideals of humanity.” He asserted that “Christianity stands or falls with its revolutionary protest against violence, arbitrariness, and pride of power with its apologia for the weak.” And he insisted that Christianity “has adjusted itself much too easily to the worship of power. It should give much more offense, more shock to the world, than it is doing. Christianity should take a much more definite stand for the weak than to consider the potential moral right of the strong.”⁶⁷ With Bonhoeffer, Swiss Protestant theologian Karl Barth also rejected the German nationalist eugenics program, which classified the socially unproductive as *Lebensunwert* (unworthy of life), to which he responded that all human life must be recognized as divine gift and in this way deeply respected because “the worth of such life is God’s secret.”⁶⁸

Postwar American Evangelicalism and Eugenic Logic

The long and arduous ideological fight to resist the eugenic logic that was at work in the first half of the twentieth century resulted in the waning (not disappearance) of explicit eugenic activity from the asylum period through the expansion of state confidence in prisons and the carceral legal system. This was manifest by the large erasure of asylums in the latter half of the twentieth century, which were largely replaced by state-funded prisons, starting in 1973, five years after Lyndon B. Johnson’s 1968 Omnibus Crime Control and Safe Streets Act expanded law enforcement throughout the country with the intent to “incarcerate those criminals who are dangerous.”⁶⁹ Since it followed the progressive Civil Rights Act of 1964, it is difficult to not see this as a response to problems deemed to be created by civil rights logic that could in turn be responded to with eugenic logic, especially as government funding for asylums dropped. But what happened in this period with regard to evangelical engagement in the United States, especially amid the movement’s great affluence, expansion, and influence?

The best account of Evangelicalism’s postwar involvement in the development of American policies of crime-control and punishment comes from Aaron Griffith.⁷⁰

⁶⁵ Bernd Wannewetsch, “My Strength Is Made Perfect in Weakness: Bonhoeffer and the War over Disabled Life,” in Brock and Swinton, *Disability in the Christian Tradition*, 353–90, at 358.

⁶⁶ Edwin Black, “Eugenics and the Nazis: The California Connection,” in Obasogie and Darnovsky, *Beyond Bioethics*, 52–59, originally printed in the *San Francisco Chronicle*, November 9, 2013. For Nazi adoption and adaptation of American ideals, see Isabel Wilkerson, *Caste: The Origins of Our Discontents* (New York: Random House, 2020), 78–88.

⁶⁷ Dietrich Bonhoeffer, *London: 1933–1935, Dietrich Bonhoeffer Werke*, Band 13 (Gütersloh: Chr. Kaiser Verlag, 1994): 409–12.

⁶⁸ Karl Barth, *Church Dogmatics*, vol. 3, *The Doctrine of Creation*, part 4, ed. G. W. Bromiley and T. F. Torrance (New York: T&T Clark, 2009), 423.

⁶⁹ Parsons, *From Asylum to Prison*, 84–85, citing President’s Commission on Law Enforcement and Administration of Justice, *The Challenge of Crime in a Free Society* (Washington, DC: US Government Printing Office, 1967).

⁷⁰ Aaron Griffith, *God’s Law and Order: The Politics of Punishment in Evangelical America* (Cambridge, MA: Harvard University Press, 2020).

Focused on critical points where evangelicals were complicit in building the mass incarceration project, Griffith demonstrates that this included a large ignorance of how their efforts supported harsh criminal justice policies that in turn prevented any meaningful challenge to the systemic injustices of racial, social, and economic inequality at work in the United States. Absent from his investigation is any real consideration of the eugenics practices and eugenic logic that had supposedly gone away with the presumed abandonment of eugenics after Nazi adoption. The simple explanation for this is that evangelicals (and almost everyone) did not use the term. But it is not as though such major evangelical figures as Carl F. H. Henry⁷¹ or E. J. Carnell were unaware of genetic research and the various social and political actions under active consideration. Reflecting on providence and evil, Carnell addresses the “presence” and “problem of idiots,” with a dismissal toward notions of equality since “some men are born to lead, others to follow.”⁷² And thus the logic remained incognito, but with particularly acute implications for those closest to the mass incarceration building project.

Billy Graham's Penal Outlook

Aaron Griffith helpfully demonstrates how tough on crime policies were supported by evangelical individualism⁷³ and notions of individual responsibility coupled with a fear of American cities seen as increasingly wicked places and yet from which individuals could still be saved through the gospel message. As such, when crimes were committed, “the ideal outcome for criminals was their *conversion*, not [a court] conviction.”⁷⁴ Accordingly, evangelical attitudes were harsh, as exemplified in the preeminent figure of the movement, Billy Graham (1918–2018). For Graham this meant the requirement of a tough preaching not only of the law, but also of the gospel—for conversion.

The quintessential style Graham employed in his particular evangelistic efforts outraged Karl Barth, who had earlier been sympathetic to Graham until he saw his evangelistic preaching style firsthand. On his 1962 US visit, Barth gave this analysis: “That was not the Good News, that was pistol-shooting. An urgent appeal was made to the people: You must, you should! ... It was a proclamation of the *Law* ... He wanted to scare people. To threaten always makes an impression. People would always much rather be frightened than be made joyful.”⁷⁵ At a later press conference Barth reaffirmed his critique by stating the contrast, “Christian faith begins with joy and not with fear. Mr. Graham begins by making people afraid.”⁷⁶

Theological ethicist Bryson White takes this one step further in his analysis of the deeply symbolic performativity of Graham’s corpse lying in state in 2018 under the U.S. Capitol Rotunda, his body set within a wooden casket built by incarcerated persons from the Louisiana State Penitentiary. Similar to a major thrust of Griffith’s account, White observes

⁷¹ See the discussion of social science and biological science advancements in light of a theology of providence in Carl F. H. Henry, *God, Revelation, and Authority*, vol. 6, *God Who Stays and Stands: Part Two* (Wheaton: Crossway Books, 1993), 466–70. Henry is cautious about any science that would be advanced amid what he calls an “ethically vagabond society.” Henry, *God, Revelation, and Authority*, 6:470.

⁷² Edward J. Carnell, *Christian Commitment: An Apologetic* (New York: MacMillan, 1957), 145–47.

⁷³ For a further development of the implications of evangelical individualism for white supremacy, see Robert P. Jones, *White Too Long: The Legacy of White Supremacy in American Christianity* (New York: Simon and Schuster, 2020), 95–104. Jones notes how this focuses on individual accountability for one’s decisions centers on having a personal relationship with Jesus while affirming the status quo and neutralizing calls for racial and social justice.

⁷⁴ Griffith, *God’s Law and Order*, 57 (emphasis in original).

⁷⁵ Conversation with Methodist pastors, *Gespräche 1959–1962* (from Karl Barth-Gesamtausgabe, 25, published by the Theologischer Verlag Zürich), 180f., cited in Christiane Tietz, *Karl Barth: A Life in Conflict*, trans. Victoria J. Barnett (New York: Oxford University Press, 2021), 385 (emphasis given by Tietz).

⁷⁶ Press conference in San Francisco of May 15, 1962, *Gespräche 1959–1962*, 525, cited in Tietz, *Karl Barth*, 385.

that in his sermons Graham embraced and propagated law and order rhetoric, which served as a key contributor to the rise of mass incarceration. This law-and-order rhetoric was found not only in Graham's regular preaching efforts, which included preaching to many incarcerated people during his lifetime, but it was also embodied in the exploited labor of incarcerated persons at Graham's death, and entrenched in the symbol of incarceration as their "outsider status" was—and is—used to craft national understandings of citizenship.⁷⁷

White refers to Graham's message as a "platonized nationalistic Christianity," including with it a theology that lent legitimacy to the military-industrialized complex by endorsing the United States' wars "against the dark peoples of the earth," primarily seen in Graham's support for the Korean and Vietnam Wars abroad and his embrace of law and order rhetoric at home.⁷⁸ As a proponent of this platonized American civil religion, offering salvation as belonging to the US national community, "Graham, by lying in state and being buried in a casket which is the byproduct of a society investing in locking people up versus social investment, comes to symbolize the constitutive nature of a theology that demonizes the flesh and embraces imperial logics."⁷⁹

With his strong nationalism, one begins to see in Graham's logic the reduction of criminality from a status *before God*⁸⁰ to a status defined solely by the state's jurisdiction. Pursuant to this logic, the gospel seems very difficult to disentangle from twentieth-century American culture and the power of the state. Concerns among historians of Evangelicalism continue to arise about Graham's own racism displayed in his evangelistic crusades,⁸¹ as well as Graham's own anti-Semitism toward a large portion of "the Jews" or what he calls in a conversation with President Richard Nixon on February 1, 1972, "the synagogue of Satan" as distinguished from "the remnant" of Jewish believers. He calls out this demeaned segment of the Jewish people as having "a strange brilliance about them. They're smart. And they are energized, in my judgment, by a supernatural power [called the devil]." After a relatively positive acknowledgment of Hitler's similar concerns about Jewish people in Germany controlling the banking, the media, and "the whole thing" in Germany, Graham acknowledges that while Hitler went about it wrong, their "stranglehold on this country has got to be broken or this country's gonna [*sic*] go down the drain." To Nixon's response ("Oh boy. I can't ever say it, but I believe it!") Graham expresses desire to help fix things: "If you get elected a second time we might be able to do something about it."⁸² Once claiming to focus his gospel on the spiritual over against the social,⁸³ his message devolved to incorporate a more

⁷⁷ Bryson White, "Evangelist of Incarceration? Billy Graham as Symbol for the Religious Problem of Mass Incarceration," *Black Theology Papers Project*, 4, no. 1 (2018), <https://journals.library.columbia.edu/index.php/btpp/article/view/3865>.

⁷⁸ White, "Evangelist of Incarceration?," 4–5.

⁷⁹ White, 6.

⁸⁰ Compare Warfield's emphasis (crime as synonymous with sin before God), with how Graham's law and order rhetoric emphasized and conflated what Griffith calls "spiritual crime concern" with a social-legal crime concern, collapsing God and the state into one another and therefore unable to parse the gospel's offer. See Griffith's account of Graham's 1958 visit to San Quentin in Griffith, *God's Law and Order*, 66–67. For further theological considerations on the nature of the church's experience of forgiveness for policy matters, see Jason S. Sexton, "Experiencing Justice from the Inside Out: Theological Considerations about the Church's Role in Justice, Healing, and Forgiveness," *Religions* 10, no. 2 (2019): article 108, <https://doi.org/10.3390/rel10020108>.

⁸¹ See Helen Jin Kim, *Race for Revival: How Cold War South Korea Shaped the American Evangelical Empire* (Oxford: Oxford University Press, 2022).

⁸² Richard Nixon, White House Tapes, Conversation 662-004, with President Richard M. Nixon, William F. ("Billy") Graham, et al., meeting in the Oval Office of the White House from 10:03 am to 11:37 am, February 1, 1972, Nixon Library, <https://www.nixonlibrary.gov/white-house-tapes/662/conversation-662-004>.

⁸³ For a discussion of Graham's dispute with English theologian John Stott and Latin American theologians Samuel Escobar and C. René Padilla over Christian mission and social justice, see Stanley, *The Global Diffusion of*

secular-oriented focus packaged for the interests of socio-political national security, ultimately entering its own kind of reduced and constricted carcerality characterized by ignorance regarding the social sins that led to mass incarceration which, ironically, his message demonstrated no transcendent power to be rescued from.

Chuck Colson's Eugenic Logic

The situation with evangelical leader Chuck Colson (1931–2012) is similar in many ways. Once a hatchet man for President Richard Nixon, his spiritual conversion during his seven-month federal confinement led him to establish the organization Prison Fellowship, which over the years has carried a budget of upward of \$70 million just for the US office and continues to play a major role in political conversations. A complicated figure, Colson advocated for prison reform throughout his life,⁸⁴ with the Canadian office of Prison Fellowship having an early presence at the International Conference on Penal Abolition.⁸⁵ Yet while seriously engaged, ultimately Colson's partiality for "restorative justice" over abolitionism more consistently reflected his theological proclivities, as with Billy Graham, toward individualism, addressing crime in the lives of individuals in order to work for a restored social order. This was similar to the prison ministry efforts of former NFL player Bill Glass, who saw problems in American criminal justice as "not the result of systemic racial issues related to poverty or overpolicing, but to interpersonal and emotional challenges."⁸⁶

Colson also believed the challenges of inner-city America to be "less structural and institutional than they are behavioral."⁸⁷ Yet Colson reflected that very structural and institutional racism in his personal history of insensitive attitudes and actions toward the lived experiences of Black people, believing that the criminal legal system was hard on those without education or money (that is, punishing people of the lower class who lack financial and social capital) rather than on those of a minority race. The strange distinction notwithstanding, in the same moment while acknowledging a particular instance of his own racist insensitivity to a Black man with whom he was involved in prison ministry, Colson ventured to correctingly ask of himself, "How could I be so insensitive, so blind to the obvious?"⁸⁸ Yet the evidence here of his ignorance to his privilege and of his explicit and ongoingly tacit racism is something he never seemed to fully reckon with, even during the last few years of his life.⁸⁹ Sticking with his focus on individualism, he saw America's problem as the loss of objective truth exemplified in postmodernism. Even going as far as to refer to it as a "religious breakthrough," Colson's preferred option for the state's response

Evangelicalism, 151–79; David C. Kirkpatrick, *A Gospel for the Poor: Global Social Christianity and the Latin American Evangelical Left* (Philadelphia: University of Pennsylvania Press, 2019). For the ongoing contemporary discussion, see Jason S. Sexton, ed., *Four Views on the Church's Mission* (Grand Rapids: Zondervan, 2017).

⁸⁴ Joshua Dubler and Vincent W. Lloyd, *Break Every Yoke: Religion, Justice, and the Abolition of Prisons* (New York: Oxford University Press, 2020), 132–35; Griffith, *God's Law and Order*, 198–200, 218–59.

⁸⁵ Dubler and Lloyd, *Break Every Yoke*, 125.

⁸⁶ Griffith, *God's Law and Order*, 209.

⁸⁷ Griffith, 254.

⁸⁸ Charles W. Colson, *Life Sentence* (Old Tappan: Revell, 1979), 86 (my emphasis). Compare this also with Machen's racist assertion about Warfield's lack of appreciation for the supposedly obvious "facts of human nature." As cited in Cho, "A Tale of Two Machens."

⁸⁹ Griffith, *God's Law and Order*, 254–56. Much later Colson doubles down on this belief, which he claimed was dominant in the 1970s, "that crime is caused by environmental factors—by dysfunctional childhoods, by racism, by poverty." Instead, Colson embraced the relatively new views of political scientist James Q. Wilson and psychiatrist Samuel Yochelson who were arguing that crime was caused not by environment, poverty, or deprivation, but rather "by individuals making wrong moral choices." Interview with Kathryn Schulz, "From the White House to the Jailhouse to the Pulpit: Chuck Colson on Being Wrong," *Slate*, October 20, 2010, <https://slate.com/news-and-politics/2010/10/from-the-white-house-to-the-jailhouse-to-the-pulpit-chuck-colson-on-being-wrong.html>.

to crime was to endorse and advocate for the “broken windows” theory in order to objectively restore communities through state power and thereby prevent crimes before they happen.⁹⁰ And in a moment of hyper-individualism, toward the end of his life he even switched his view to become supporter of the death penalty.⁹¹

Of relevance here is the worldview that does not envision society remedied through the gospel, but rather through state policing and social control. Claiming to be against the kind of civil libertarianism that would do away with laws against vagrancy and loitering, Colson viewed individual improvement in light of crimes committed as coming about through individual moral decisions buoyed by state action. Some tension within this view comes across further in his co-authored book, *How Now Shall We Live?*, wherein while addressing the matter of worldview he raises the question of science (and, presumably, Darwin) as savior. Taking this as “nothing less than a vision of redemption, a surrogate salvation, a substitute for the kingdom of God, setting up science as the path to utopia,” Colson detects a lurking Mendelian scientific utopianism with its aim of “creating a new and improved race.”⁹²

Colson was a critic of positive eugenics. In his discussion of genetics and human aspirational progress Colson never directly mentions eugenics (he was, of course, born two years before Hitler rose to power), and yet critiques with great alacrity the social and genetic engineering possibilities of the day. Colson’s perceived attempt to improve or remake human nature genetically through genetic research, and genetic engineering and altering, he claims, “would strip people of their dignity and reduce them to commodities.”⁹³ For Colson, the issue is about dignity as well as the fear that both improvement or degeneration—both good and evil—could equally emerge from these efforts advanced by anthropocentric science. Showing something of his semi-Augustinian hand in his critique of positive eugenics, and similar to Carl Henry mentioned above, he concludes, “The faith that we can save ourselves through science can be sustained only if we shut our eyes to the human capacity for barbarism.”⁹⁴ And yet, ironically, reckoning with the eugenic logic already at work in the modern carceral apparatus, and toward disabled persons and others, is never explicitly part of his concern. He chooses, instead, to disregard the culture’s wider negative eugenic logic at work in favor of a focus on individual morality that can be improved in no measure through modern “scientific optimism,” but rather through “a change of heart”⁹⁵ that comes about through an individual moral choice abetted by the state’s punitive social structures as needed.

This is not a new idea, and Colson is not alone among religiously affiliated people and especially evangelical fundamentalists who are more punitive in their approach to crime based on their perceptions of crime’s cause and its prevalence.⁹⁶ But that Colson can take such a position as detailed above highlights an important omission. His effort at rejecting positive eugenics begs the question since it suggests that theology—or rather theological

⁹⁰ Griffith, *God’s Law and Order*, 256. Incidentally, the one-time popularizer of the broken windows crime theory Malcolm Gladwell even claims today to be nearly a prison abolitionist, being “very close to thinking that no one should ever go to prison.” Malcolm Gladwell, “My Writing Had Better Have Changed. Or I’m a Failure,” *Financial Times*, April 29, 2021, <https://www.ft.com/content/aa0ecd0f0-5be5-4dc8-80ca-150e12c25104>.

⁹¹ Charles Colson, “Why I Support Capital Punishment,” *The Gospel Coalition*, February 21, 2017, <https://www.thegospelcoalition.org/article/why-i-support-capital-punishment/>.

⁹² Colson and Pearcey, *How Now Shall We Live?*, 246–47. See also Francis A. Schaeffer’s discussion on determinism. Francis A. Schaeffer, “Manipulation and the New Elite,” in *The Complete Works of Francis A. Schaeffer: A Christian Worldview*, vol. 5, *How Should We Then Live?* (Westchester: Crossway Books, 1982), 229–43.

⁹³ Colson and Pearcey, *How Now Shall We Live?*, 248.

⁹⁴ Colson and Pearcey, 248.

⁹⁵ Colson and Pearcey, 250.

⁹⁶ Christopher H. Seto and Iman Said, “Religious Perceptions of Crime and Implications for Punitiveness,” *Punishment and Society* 24, no. 1 (2020): 46–68.

conceptual tools at work in the state's affairs—can trump all science, but never demonstrates accountability to empirical evidence (for example, that science provides no biological basis for racial differences, or that social attitudes maintain real racist structures) or for its methodological framings and commitments (such as a precommitment to scientific racism), or to other contrasting claims (such as a tacit or sometimes explicit commitment to eugenic thinking toward irredeemable or else disposable people). Instead, Colson's view is reduced to a fundamentalism that gives scant regard for its own sins because the purported notion of biblical superiority or so-called Christian worldview is supposed to settle all arguments related to other forms of knowledge, whether scientific, systemic, structural, or other. This commitment to worldview, in turn, creates a kind of hostility toward the natural world and also toward an educated, informed, democratic politics. It further generates a cognitive dissonance between people of faith and the scientific community,⁹⁷ resulting in many cases in a lacking awareness of the depth of personal sin before God, and therefore a lacking humility. It is another form of hierarchical supremacy rather than an equitable commitment to the virtues.

As problematic as Colson's clear racism is at points, he appears to have never quite reckoned with it nor with the complicity and support of mass incarceration and the great damage it has continued to do to American society and to others who adopt this approach. Indeed, those in prominent leadership positions in Prison Fellowship continue to portray what has been referred to as “subtle if not implicit forms of the outmoded colonialist model of missions” or else a “colonialist reprimination.”⁹⁸ One former vice president of Prison Fellowship displayed this in a recent visit to Wrightsville Prison, Little Rock, Arkansas, “to speak to and connect with 200 men who are *making decisions to change their lives and their world view* and come back into *our communities* to be a positive influence.” Not only does this *othering* of prisoners showcase a chasm between the colonial approach of the speaker and the incarcerated *captive* audience, but it seems to naively suggest that the two hundred people “making decisions” are all incarcerated for things they have actually done, and all have lives that actually need to change under the strange jurisdiction of the visiting speaker. Aside from the large unlikelihood of having any meaningful knowledge of any of these incarcerated men, there is no critical self-awareness nor critical understanding of the basic injustice wrapped up in the very existence of the current carceral-capitalist system of mass incarceration. A novice understanding of the carceral-legal system knows that in the recent history of American courts, prosecutors have a legacy of determining results “in well over 95 percent of cases through plea bargains that are kept from public view,”⁹⁹ which means that a large number of people who are incarcerated are serving time for crimes they never actually committed, including the incarceration of innocent people. It does not seem that this crossed the former vice president of Prison Fellowship's mind. Proceeding further with his explanation of this “amazing time” of ministry, the speaker noted, “They might argue, but I believe that our time together made more of an influence on me than them. I needed it and fell in love with them. I never shook

⁹⁷ Marcy Darnovsky, “‘Moral Questions of an Altogether Different Kind’: Progressive Politics in the Biotech Age,” in Obasogie and Darnovsky, *Beyond Bioethics*, 475–91, at 478, 486–88. See this most recently displayed in Tish Harrison Warren, “How Covid Raised the Stakes of the War between Faith and Science,” *New York Times*, November 7, 2021, <https://www.nytimes.com/2021/11/07/opinion/faith-science-covid.html>.

⁹⁸ Jason S. Sexton, “Toward a Prison Theology of California's Ecclesia Incarcerate,” *Theology* 118, no. 2 (2015): 83–91, at 88; and Jason S. Sexton, “Redeemed on the Inside: Radical Accounts of Ecclesia Incarcerate,” *Ecclesial Practices: Journal of Ecclesiology and Ethnography* 5, no. 2 (2018): 172–90, at 173–74.

⁹⁹ For an explanation of this, see Robert Ferguson, *Inferno: An Anatomy of American Punishment* (Cambridge, MA: Harvard University Press, 2014), 109–19.

so many hands and hugged so many people since my time going nose to nose with 160 Māori warrior inmates in New Zealand back in 2009.”¹⁰⁰

Chuck Colson proceeded in a similar manner to the self-assured hyper-masculinity seen here. With his particular privilege, after being incarcerated for under seven months he was able to draw deep from within to affect a better situation for himself after his own bad moral choices aimed to secure political power for a president who believed in “a hierarchy of races,”¹⁰¹ landed him in federal prison. But after pulling himself up by his own bootstraps through Jesus at a time when pronouncements accompanied by the “under God” rhetorical, juridical, and political device were used to unlocking state power,¹⁰² he believed others had this ability as well.¹⁰³

A similar mentality was seen in Donald Trump’s self-references to his own good stock, and possession of “good genes,” which he has credited for his health and success for years.¹⁰⁴ When he contracted COVID-19 the optimistic outlook among his supporters was based not on science or health care or knowledge but on his genetics¹⁰⁵—a quintessential if not super-human being already present. Of course, if the common story about eugenics today were true, such a thing or outlook should no longer exist after Nazi Germany’s failed efforts to create the super-human race, with their increased trust in the pseudoscience of the day leading them from eugenics to euthanasia. Trump’s own policies—for example in calling for the death of anyone caught selling drugs¹⁰⁶—are not dissimilar from Nazi programs of eugenics and euthanasia toward those deemed degenerate. And if one’s genes can hypothetically withstand the attack of a pandemic virus, perhaps this is the kind of thing the social Darwinists were looking for to take the human race forward, driving it to total success as a result of some providentially bestowed generational endowment that might level the playing field so that all the preferred individuals might make the right moral decisions and thus secure the myth of endless betterment of the human race. And never mind the others.

Eugenic Logic, Evangelical Ecclesiology, and Theological Systems

The history of eugenic thinking recounted above, including what is seen in the contemporary world and from religious and theological perspectives within Evangelicalism, raises several matters that warrant careful theological consideration. The theological category of ecclesiology provides assistance in analyzing the situation. Below I consider theological tenets within Evangelicalism, including features from the theological systems of

¹⁰⁰ See Greg Bruce, Facebook, Oct. 16, 2022, <https://www.facebook.com/greg.s.bruce/posts/10221328359540161> (emphasis mine). See also the excellent historical account of white Evangelicalism’s militant sense of embattlement for the sake of its success in Kristin Kobes Du Mez, *Jesus and John Wayne: How White Evangelicals Corrupted a Faith and Fractured a Nation* (New York: Liveright, 2020).

¹⁰¹ Tim Naftali, “Ronald Reagan’s Long-Hidden Racist Conversation with Richard Nixon,” *The Atlantic*, July 30, 2019, <https://www.theatlantic.com/ideas/archive/2019/07/ronald-reagans-racist-conversation-richard-nixon/595102>.

¹⁰² Jonathan D. Redding, *One Nation under Graham: Apocalyptic Rhetoric and American Exceptionalism* (Waco: Baylor University Press, 2020), 111–14.

¹⁰³ And many other evangelicals believed this story as well, especially those having close familiarity with the carceral system. See the story of Sheldon Gooch in Jones, *White Too Long*, 50–53.

¹⁰⁴ Ryan Teague Beckwith, “Donald Trump Loves to Talk about His ‘Good Genes,’” *Time*, September 12, 2017, <https://time.com/4936612/donald-trump-genes-genetics>.

¹⁰⁵ Tina Nguyen, “‘God-Tier Genetics’: A Stunned MAGA World Offers Blame, Adulation after Trump’s Diagnosis,” *Politico*, October 2, 2020, <https://www.politico.com/news/2020/10/02/maga-world-blame-adulation-trump-covid-425624>.

¹⁰⁶ See Trump’s 2022 promise to call for the death penalty for anyone caught selling drugs. “Former President Trump Calls for Death Penalty for Drug Dealers,” *C-Span*, November 15, 2022, <https://www.c-span.org/video/?c5041276/president-trump-calls-death-penalty-drug-dealers>.

Dispensationalism and Covenant Theology, with various implications of their views for evangelical individualism and its relationship to eugenic thinking.

On the nature of the church and evangelical Christianity, it is not difficult to see how Evangelicalism has been open to the same kind of eugenic logic operative within contemporary American culture, as manifest in Simon's argument about a eugenic judicial realism. Evangelicalism has always demonstrated an openness to working trans-ecclesially, incorporating a wide collection of ideas, both across traditions and amid strongly held differences in theological beliefs and also while integrating cultural norms and questions for its shape. This meant that as Evangelicalism developed, its theologies morphed and hybridized and its ecclesiology took a back seat to other priorities, leading one theologian to conclude that evangelicals "have never developed or worked from a thoroughgoing ecclesiology."¹⁰⁷ As such, the lack of a substantial ecclesiology often meant a very thin tradition to work from, giving way in the United States to an individualism that supplants more collective considerations. Yet it is within ecclesial space that persons stand as *called out* participants in the life of a community of redeemed and transformed individuals. They are assumed to have made the right decisions and thereby—even on some accounts through the power of a transformed individual constitution that goes straight down even to the molecular and genetic levels, in a kind of epigenetic fashion¹⁰⁸—demonstrate what can happen through the strong action of personal repentance and faith that accompany conversion.

This individualism focused on the power to make positive moral decisions harkens back to the earlier noted individualism found in the Protestant eugenicist Richard Ely, which gave a basis for John Ryan's parting with him in the early twentieth century. One hundred years later, Americans have become even more individualistic, with often very little regard for communal life and formation, and much less for personal and corporate accountability, and for collective societal responsibility. Thus, when the Civil Rights freedom struggles and fears of rising crime led to a moral panic in the United States, evangelicals' support for incarceration amid the moral failure of the nation was bolstered with support from the tenets and emphases operative in their particular theological systems.¹⁰⁹ Likewise, Colson's presuppositions about individualism prevented him from acknowledging systemic ills unless they otherwise carried potential threats of outwitting or encumbering both himself and society by even further offsetting the playing field as he saw it—a society of individuals not

¹⁰⁷ Stanley J. Grenz, "An Evangelical Response to Ferguson, Holloway and Lowery: Restoring a Trinitarian Understanding of the Church in Practice," in *Evangelicalism & the Stone-Campbell Movement*, ed. William R. Baker (Downers Grove: InterVarsity Press, 2002), 228–34, at 228.

¹⁰⁸ See 2 Corinthians 5:17. See also this rather bizarre thinking by prosperity preacher Jesse Duplantis who negatively argued that, "People are genetically altered to accept welfare." Jonathan L. Walton, "Stop Worrying and Start Sowing! A Phenomenological Account of the Ethics of 'Divine Investment,'" in *Pentecostalism and Prosperity: The Socio-economics of the Global Charismatic Movement*, ed. Katherine Attanasi and Amos Yong (New York: Palgrave Macmillan, 2012), 107–29, at 119. I am grateful to Gabriel Raeburn for this citation.

¹⁰⁹ See, generally, Griffith, *God's Law and Order*. For a discussion of how evangelicals' and Christian conservatives' consequently turned inward with a family emphasis, see Hartman, *A War for the Soul of America*, 70–101; Stern, *Eugenic Nation*, 173–204. For the subjectification of African Americans in relation to the early twentieth-century eugenics movement and birth control, see Dorothy Roberts, *Killing the Black Body: Race, Reproduction, and the Meaning of Liberty* (New York: Vintage, 1997), 56–103. For the role of Black churches supporting tough on crime policies and actions on the East Coast (Washington, DC), see James Forman, Jr., *Locking Up Our Own: Crime and Punishment in Black America* (New York: Farrar, Straus and Giroux, 2017). For an example of how, in California, religious conversations about "moral panic" fed into the mass development of carceral facilities by governors Reagan and Brown, see Ruth Wilson Gilmore, *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California* (Berkeley: University of California Press, 2007), 90–93. Gilmore notes how the 1977 Uniform Determinate Sentencing Act formally showcased California's disavowal of any responsibility to "rehabilitate," with the Act stating bluntly: "the purpose of imprisonment for crime is punishment." Gilmore, *Golden Gulag*, 91. I am grateful to Terence Keel for these references.

otherwise imbalanced by a real systemic and structural racism but rather by lacking education and financial advantage, as though these scenarios are unable to be infected by systemic and structural racism. In Colson's view, systemic historical issues did not need to be addressed, while new potential challenges to the current system should be, thus maintaining a priority and affirmation of the status quo which for modern America, according to sociologist Robert P. Jones, means the status quo of white supremacy.¹¹⁰

In addition to a focus on individualism at the expense of systemic analysis or awareness, evangelical theologies also maintain white supremacy through supersessionistic ideologies, which affirm that non-Jewish Gentile believers replaced or *superseded* the Hebrew people at the coming of Jesus Christ in the first century.¹¹¹ Advanced under the name Dispensationalism, this populist sensationalist theology—neither of the expert nor professional, but a lay-theology—helped to exacerbate divisions between science and faith, addressing and incorporating the knowledge of the debunked eugenics science on the basis of a coherent authoritative and equally fundamentalist so-called biblical views of things. This base meant that its theology could trump all science, and thus had little reason to examine evidence or methods since these were already fixed into a system that was purported to reflect what the Bible really said. The populist mentality created an ongoing and increased cognitive dissonance between Dispensationalist believers and the natural world, breeding an anti-intellectualism to support unconscious biases and ill-informed politics. Yet by pointing to the institutions they built as legitimizing objects, Dispensationalists continued to advance their views, and the theology underpinning them that in turn rubber-stamped their thin ethics whatever they happened to be, flowing from the contemporary culture.

This is seen in the ongoing support of racist logics that not only partition different racial groups throughout history and into present settings by connecting content from the Bible's texts to contemporary events and issues but then also use these modes of biblical rationale as a base to defend racial hierarchies in wider society. For example, the popular preacher Donald Grey Barnhouse preached a sermon over the Columbia Broadcasting System in 1932 that argued for a biblical justification of the inferior social position of African Americans. According to Barnhouse, African Americans still bore the curse of Ham, a mark that God allegedly placed upon them as seen in the Genesis 9 account.¹¹² With reference to this passage, the notes from the best-selling *Scofield Reference Bible* that popularized Premillennial Dispensationalism in the twentieth century state that among the elements of "The Noahic Covenant" are that, "from Ham will descend an inferior and servile posterity."¹¹³

The eschatological schematics at work in the parsing out of events within Premillennial Dispensationalism also highlighted the significance of Hitler's rise to power and push to exterminate European Jewish people while simultaneously being what Harold J. Ockenga

¹¹⁰ See this argument in Jones, *White Too Long*.

¹¹¹ See, generally, Willie James Jennings, *The Christian Imagination: Theology and the Origins of Race* (New Haven: Yale University Press, 2010); Keel, *Divine Variations*.

¹¹² See the account of this sermon, "The Three Sons of Noah: The Black Man," in Matthew Avery Sutton, *American Apocalypse: A History of Modern Evangelicalism* (Cambridge, MA: Belknap Press of Harvard University Press, 2014), 133.

¹¹³ C. I. Scofield, ed., *The Scofield Reference Bible*, new ed. (New York: Oxford University Press, 1917), 16n2. Incidentally, the 1967 edition, *The New Scofield Reference Bible*, mentions only under element 5 of The Noahic Covenant that these same descendants "will be servants to their brethren"; meanwhile, both editions refer in element 7 to the different "races." C. I. Scofield, ed., *The New Scofield Reference Bible* (New York: Oxford University Press, 1967), 15n2. Speculating on the shift away from language about the inferior, it is possible that the 1967 editorial revision committee was more sensitive to the language of inferiority. The 1967 editorial revision committee included Charles L. Feinberg, who was a Jewish Christian, and Frank Gaebelein, who marched with Martin Luther King Jr. in Selma in 1965, whereas white evangelicals largely followed the views of their prewar predecessors, remaining highly suspicious of supporting the civil rights movement and efforts to integrate and advocate for social and economic equality among different racial groups. See Sutton, *American Apocalypse*, 306, 336.

called “an instrument in the hand of God for the driving of the Jews back to Palestine.”¹¹⁴ That Nazi’s were deemed to be fulfilling prophecy did not excuse them from evils acts, which were understood as ultimately under divine judgment whereas the fundamentalist responsibility was to wage war against it.¹¹⁵ In his careful account of how Dispensationalists imagined eschatological events and peoples in racialized terms, Daniel G. Hummel concludes that the “white racial essentialism” of the day “shaped imaginings of the kingdom far more than did biblical categories.”¹¹⁶ And into the latter half of the twentieth century, Tim LaHaye—one of Dispensationalism’s most influential figures who helped establish the New Christian Right in the 1970s and authored the bestselling *Left Behind* series—carried out his work as a veteran member of the John Birch Society, a group known for its racism, antisemitism, and conspiracy theories,¹¹⁷ structuring Dispensationalism for the next century.

In addition to Dispensationalists, the decidedly Calvinist brand of evangelicals maintain a form of what has been called Covenant Theology for their ideological system.¹¹⁸ This system identifies special salvific blessings reserved only for the so-called elect or covenant people, and the covenant family, which is the locus where divine favor flows by sovereign grace allotted for the chosen. This understanding maintains the status of the covenant family as *Israel* in a divinely chosen, spiritual, and thus supersessionist sense. Accordingly, the idea of the covenant family serves as conceptual ground for a kind of default negative-eugenic logic because the particular kind of redemptive blessings reserved only for the elect, and most certainly not for the unredeemable, who are destined to bear only the curse and judgment.

The idea of *the elect* or *the chosen* recently emerged in the popular and political arena used by Donald Trump in campaign speeches which had special salience with some Calvinistic communities that supported Trump strongly during his campaign for office. Many in these communities hail from Dutch Calvinist genealogical roots and have had for the last several decades a kitsch phrase within their common parlance—“if you ain’t Dutch, you ain’t much”—which aligned well with the effort to attach their theology to a racist nationalist movement. Beyond the Presbyterian forms of ecclesial governance largely operative in these communities, one might think that the communities with more nonconformist baptistic free church ecclesiology (for example, Chuck Colson was a Baptist) might resist the notion of the *chosen*, opting instead for an emphasis on local constitution with adult conversion and adult baptism being experienced by believers individually, although with residual effects for their families to then serve the covenant children with inherent strongly-knit blood ties.¹¹⁹ Yet many Baptists (especially Southern Baptists) and

¹¹⁴ Harold J. Ockenga, “The German Crisis—or—Will Hitler Save Germany, October 10, [1933?], Harold John Ockenga Papers, Gordon Conwell Theological Seminary, South Hamilton, MA, quoted in Sutton, *American Apocalypse*, 220.

¹¹⁵ Sutton, *American Apocalypse*, 221. Additionally, in their own steady battle against Jim Crow laws in the South, many African Americans found hope in anticipating the millennium as imminent, recognizing what Matthew Avery Sutton describes as having “far more to gain from the destruction of this world and the coming of a new millennium than many of their white counterparts.” Sutton, *American Apocalypse*, 210.

¹¹⁶ Daniel G. Hummel, *The Rise and Fall of Dispensationalism: How the Evangelical Battle over the End Times Shaped a Nation* (Grand Rapids: Eerdmans, 2023), 127.

¹¹⁷ Hummel, *The Rise and Fall of Dispensationalism*, 270.

¹¹⁸ See, for example, Michael Horton, *Introducing Covenant Theology* (Grand Rapids: Baker, 2006). For a critical analysis on exegetical grounds see Ben Witherington, III, *The Problem with Evangelical Theology: Testing the Evangelical Foundations of Calvinism, Dispensationalism and Wesleyanism* (Waco: Baylor University Press, 2005), 103–05.

¹¹⁹ On the contrary, for an account of early Christianity’s actual disrupting of the pursuit of biological or social kinship to replace it with a richly experienced notion of a new spiritual kinship, see Michael Banner, *The Ethics of Everyday Life: Moral Theology, Social Anthropology, and the Imagination of the Human* (New York: Oxford University Press, 2014), 35–81.

Pentecostals (especially among immigrant communities) chose to follow Trump with an aspirational outlook, hoping to be part of his good fortune and superior success.

It made sense for evangelicals to look to an ideal figure to latch onto in hopes of securing beneficence for their communities, and in turn the opposite for other communities. Ever since Billy Graham, evangelicals have sought state political power in pursuit of their ideals; with Donald Trump this was no different.¹²⁰ But the assumptions of eugenic logic appear especially in links between, on one hand, a chosenness wherein faith may be experienced individually or else by covenantal family inclusion; on the other hand, a retributive outlook for others who do not experience the privilege of chosenness. In other words, the eugenic logic of this binary finds the redeemed receiving the good results as assigned and due, whereas the unredeemed (or irredeemable) are discarded with nothing good coming. A penal outlook becomes manifest, then, in punitive policies for the non-chosen, or the damned, which coincides with a strong doctrine of eternal conscious punishment,¹²¹ not only necessary for developing the kind of punitive apparatus that the United States has created with mass incarceration, but also limiting redemptive and transformative possibilities for, put crudely, the losers.¹²² As David Bentley Hart argues, “it’s hard not to suspect that what many of us find intolerable is a concept of God that gives inadequate license to the cruelty of which our own imaginations are capable.”¹²³ And thus punishment rendered for crimes committed against the chosen—by those apparently not chosen—are especially fitting amid the kinds of cultural conditions that nurtured America’s ongoing eugenic logic, reinforced by these particular theologies.¹²⁴

The question remains, of course, whether the theologies operative during the rise of mass incarceration were merely accidental, complicit bystanders, or were otherwise active contributing factors that programmatically helped effect the mass incarceration building project. Evangelicals like Colson often used various explanations for crime supported by their theological systems. From within these theological systems, crime seemed totally out of control, attested to further by popular media, news reports, and alleged perpetrators whom with few exceptions were not part of the church and therefore not chosen for redemption. A relative confidence in divine providence theologically shielded their complacency toward rising incarceration rates (not dissimilar to earlier Quaker attitudes in eighteenth and early nineteenth-century developments in the modern carceral apparatus), even while fighting political battles and the efforts to build their own institutions amid the other significant building projects happening throughout the United States and Western world in this moment of unprecedented cultural affluence.

And yet the notion of individualism was needed to uphold moral decision making supportive of the freedom of the will—of free moral agency and free markets—while the possibility of transformation for *the chosen* was held out to favor the evangelical

¹²⁰ Thomas S. Kidd, *Who Is an Evangelical? The History of a Movement in Crisis* (New Haven: Yale University Press, 2019), 144–56. See also influential evangelical writer Wayne Grudem’s argument ahead of the 2016 election. Wayne Grudem, “Why Voting for Donald Trump Is a Morally Good Choice,” *Townhall*, July 28, 2016, <https://townhall.com/columnists/waynegrudem/2016/07/28/why-voting-for-donald-trump-is-a-morally-good-choice-n2199564>.

¹²¹ For one critique of this, see David Bentley Hart, *That All Shall Be Saved: Heaven, Hell, and Universal Salvation* (New Haven: Yale University Press, 2019).

¹²² Ferguson, *Inferno*, 112.

¹²³ David Bentley Hart, “Why Do People Believe in Hell?” *New York Times*, January 10, 2020, <https://www.nytimes.com/2020/01/10/opinion/sunday/christianity-religion-hell-bible.html>.

¹²⁴ For an account of antebellum Calvinist prison reformer Rev. Louis Dwight of the Boston Prison Discipline Society and how he held his theology of punishment together with a changing Calvinism at the time, see Jennifer Graber, *The Furnace of Affliction: Prisons and Religion in Antebellum America* (Chapel Hill: University of North Carolina Press, 2011), 88–95.

commitment to “the religious experience of the individual.”¹²⁵ But the individual is never fully an individual in an exact sense—in isolation or reduced to solitary confinement—but rather always exists as such in a radically contingent and deeply relational manner, with one’s very life both participating and being grounded in a host of other social and environmental relations, as well as in the very divine life.¹²⁶ While a recent trend in theology has been to resist the impulses of social trinitarianism for not maintaining a strong enough distinction between the ineffable divine life and created sociality,¹²⁷ trinitarianism might conceptually bestow something significant on the human social relations and societal structures, especially with an equality and sociality grounded in love that may yet reflect an “alternative relationality” better than what has been on offer in the seemingly endless spewing of hierarchies and supremacies in recent history.¹²⁸

Theologically Reckoning with Eugenics’ Long Tail

Scholar Dennis Durst, who studies American eugenics during the Protestant social reform era from 1860 to 1940, concludes that ongoing research may signify that troubling attitudes about eugenics have continued into the contemporary moment, particularly in dominant views within medicine and social policy. Underneath this would be the ideological and theological underpinnings that enabled eugenics to happen in the first place. He saw theology as a potential antidote, suggesting that “Theological awareness of the solidarity of the human race in a shared transcendent dignity, amid an acknowledgement of the universal experience of genetic imperfection, can lead to a greater humility and acceptance of differences.” Giving one promising example in ongoing research, Durst suggests that “The intersection of theology and disability studies ... gives hope of a more sensitive and inclusive vision of society.”¹²⁹

It seems reasonable to conclude today that if better theology had been at work during the eugenic era—as seen, for example, in the case of American Catholics in the first half of the twentieth century—eugenics may have had less power culturally. Protestants never sufficiently reckoned with it. Even early on, Warfield was no stalwart standard bearer like the Catholics had in G. K. Chesterton or Dorothy Day. C. S. Lewis could have potentially helped, but as a British Anglican Protestant, evangelicals in the United States were not yet reading him much (although this is speculative).

Yet there have been real limitations that science has always had when defining a particular understanding of human beings, whether through biogenetic research or otherwise. So how can theology help here, both critically and constructively, for moving forward? Theology claims to make use of both theoretical and real conceptual tools, including the best

¹²⁵ Kidd, *Who Is an Evangelical?*, 15. For a more theologically sophisticated treatment of personal theological freedom, see Andrew B. Torrance, *The Freedom to Become a Christian: A Kierkegaardian Account of Human Transformation in Relationship with God* (New York: T&T Clark, 2016).

¹²⁶ On individualism and subjectivity, see Norman Wirzba, *This Sacred Life: Humanity’s Place in a Wounded World* (Cambridge: Cambridge University Press, 2021), 178–85; see also Paul S. Fiddes, *Participating in God: A Pastoral Doctrine of the Trinity* (Louisville: Westminster John Knox, 2000).

¹²⁷ See, for example, Miroslav Volf, “‘The Trinity Is Our Social Program’: The Doctrine of the Trinity and the Shape of Social Engagement,” *Modern Theology* 14, no. 3 (1998): 403–23. For a lengthier discussion of the critical issues at stake, see the contributions in Jason S. Sexton, ed., *Two Views on the Doctrine of the Trinity* (Grand Rapids: Zondervan, 2014).

¹²⁸ Jessica Wai-Fong Wong, “Social Trinitarianism through Iconic Participation,” in *T&T Clark Handbook of Political Theology*, ed. Rubén Rosario Rodríguez (New York: T&T Clark, 2020), 513–26 (avoiding some of the ontological pitfalls of more Hegelian models of social trinitarianism). See also Jessica Wai-Fong Wong, *Disordered: The Holy Icon and Racial Myths* (Waco: Baylor University Press, 2021).

¹²⁹ Durst, *Eugenics and Protestant Social Reform*, 10.

data from empirical and scientific research. But how might a more critical outlook be rendered for the situation with ongoing eugenic thinking, analyzing both historical and contemporary phenomena and perspectives, along with underlying assumptions that could have been addressed much better in recent history and yet may still be more meaningfully addressed today?

Theology has yet to significantly engage with Ruth Wilson Gilmore's materialist analysis of the contemporary situation,¹³⁰ which illuminates additional features of how social crises produced by capitalism have generated moral panic about crime—whether actual or alleged—as done by certain kinds of racialized people for which the carceral apparatus has long been the appointed (or anointed) response. This dynamic of racial-carceral-capitalism emerged over the past five centuries, generated through the state's management of racial categories as part and parcel of processes and practices essential to its very existence. Sometimes, Gilmore notes, “the practices result in ‘protecting’ certain racial groups, and other times they result in sacrificing them. In any event, racialization is a key part of US governance, and the state's role as the sole determiner of legitimate violence has played a key part in management through racialization.”¹³¹ A similar account is offered by sociologist Cecilia Menjivar with regard to how the state also performs these acts through “omission,” or the neglect and abandonment of particular groups that have been stigmatized and socially devalued, displaced, and abandoned—both controlled and simultaneously deprived by the state's acts of disregard and indifference.¹³² To address this with a thoroughgoing approach would mean, for Gilmore, abolishing not necessarily the state nor history but rather “the processes of hierarchy that congeal in and as group-differentiated vulnerability to premature death.”¹³³ These processes of rendering groups to “premature death,” in Gilmore's rendering, is part of an ongoing anti-Blackness that contributed to building the modern world with its centuries-long extractionist, removal, and carceral logics of both Black and Indigenous bodies. There seems to be a consensus growing that the moment requires a reckoning, not by further erasure but rather by centering those who have been more traumatized by these processes, who have been most harmed and continue to remain vulnerable in the contemporary setting.¹³⁴

Better theology than what is locked into the systems delineated above holds the capacity to assist in the consideration of how better assumptions about human nature might be given, and faulty assumptions discarded both with reference to ecclesiology and also with regard to theological anthropology. On the former, this concerns how people function and live their lives within their local ecclesial communities experiencing their personal and collective transformation within these contexts. On the latter, a robust theological anthropology takes a critical posture toward notions of genetic determinism in light of

¹³⁰ An exception might be found in the recent work of Willie James Jennings. For an account of some of this in the California context, see Jason S. Sexton, “Borders and Barriers: Citizenship in California,” in *Los Angeles as a Global Crossroads: Migration, Transnationalism, and Faith in Missiological Perspective*, ed. by Kirsteen Kim and Alexia Salvatierra (Lanham: Lexington Books, 2021), 137–38.

¹³¹ Ruth Wilson Gilmore with Craig Gilmore, “Restating the Obvious,” in Ruth Wilson Gilmore, *Abolition Geography: Essays towards Liberation* (New York: Verso, 2022), 264–65.

¹³² Cecilia Menjivar, “State Categories, Bureaucracies of Displacement, and Possibilities from the Margins,” *American Sociological Review* 88, no. 1 (2023): 1–23, at 12–13.

¹³³ Ruth Wilson Gilmore, “Abolition Geography and the Problem of Innocence,” in *Abolition Geography*, 471–95, at 475. See also, Jason S. Sexton, “Review of *Abolition Geography*,” *Political Theology* 24, no. 6 (2023): 606–07 <https://doi.org/10.1080/1462317X.2023.2167643>.

¹³⁴ For both critical and constructive programmatic responses, see Kyle T. Mays, *An Afro-Indigenous History of the United States* (Boston: Beacon Press, 2021); Kathryn Yusoff, *A Billion Black Anthropocenes or None* (Minneapolis: University of Minnesota Press, 2019); and Vincent W. Lloyd, *Black Dignity: The Struggle against Domination* (New Haven: Yale University Press, 2022).

considerations from the moral-philosophical concept of free agency. While often not discussed in bioethics, this is among one of the most important philosophical issues related to culpability and punishment, carrying particular relevance for any serious engagement with mass incarceration.¹³⁵ It also includes various interpretations or statements about crime and cultural values, along with dignified approaches to persons with special needs and disabilities, or those in other adverse conditions, whether educationally, socioeconomically, politically, or culturally otherwise. Critical engagement from theological anthropology also refuses to isolate academic and scientific disciplines because its approach to reality is neither compartmentalized nor divided, but rather particular and carries a holistic and integrative approach to the entire human experience.

On the other hand, the supposed neutrality of science brings with it the supposed neutrality of the law's application toward so-called criminals who violate the law, or the cultural norms that the law is intended to reflect. The social situation carries a doomed outcome for the criminalized marginality. Robert Ferguson deems these very people "the failures who do not accept their assigned categories and who have no other means out of it" and therefore are "headed for crime."¹³⁶ But here is where better theology might provide better grounds for considerations of justice and equity. Evangelicals have a terrible history of engagement with carcerality and race, the two often going hand in hand not because the majority of evangelicals necessarily held the views reflected in the movement's figureheads, but because Evangelicalism is a populist movement represented by figureheads. And theology may yet play a more helpful role than how it has been appropriated for harm.

When looking at how crime has been overdetermined in criminal law and how "a crime is never, in the end, judged for what it truly is[.]" the act of crime becomes time and again "framed and then judged as a crime or offense against society or the state—and therefore as a political crime."¹³⁷ Theologically, however, the state is reconceptualized in light of its penultimate mode of social existence, with various laws that attempt to reflect the ideal, and yet which are relativized as structural frameworks limited to the present age, with no necessary significance whatsoever in the age to come. Because contemporary existence means living between this era and the one to come, between the times, any effort to artificially resolve that tension by adding new structures or by engineering ways to subvert or even change it by stretching out efforts to design, orchestrate, and effect the divine *kingdom come* are by their nature negated since they deny the eschaton (the end goal of history) as the ultimate realization of a divine gift, irrefutably arriving from the future which then relativizes crime and all current social structures in light of the day when there will be no more injustice; no more tears; no pain; no more legislating, violating, enforcing laws. And there will be no eugenic thinking. There will be nothing to correct or legislate, and no desire to personally subvert structures that simulate justice but never quite deliver.

This also relativizes eugenic efforts to orchestrate the good and eradicate the bad through various control technologies, often proceeding on the grounds of bogus science. While possessing potential capacity to incorporate all forms of knowledge, in principle,

¹³⁵ I am grateful to philosophy professor Myron A. Penner for this point. This is precisely the issue—of the dignity of moral agents to still choose crime—that led to a series of articles and debate over why critics of mass incarceration neglect crime as explanatory. See John Clegg and Adaner Usmani, "The Economic Origins of Mass Incarceration," *Catalyst* 3, no. 3 (2019), <https://catalyst-journal.com/2019/12/the-economic-origins-of-mass-incarceration/>; Jack Norton and David Stein, "Materializing Race: On Capitalism and Mass Incarceration," *Spectre*, October 22, 2020, <https://spectrejournal.com/materializing-race/>; John Clegg and Adaner Usmani, "Reifying Racism: A Response to Norton and Stein," *Spectre*, September 10, 2021, <https://spectrejournal.com/reifying-racism/>.

¹³⁶ Ferguson, *Inferno*, 184.

¹³⁷ Geoffrey De Lagasnerie, *Judge and Punish: The Penal State on Trial* (Stanford: Stanford University Press, 2018), 170–71.

theology maintains its critical distinction from and integrity in relation to various other forms of knowledge. How this works out in some cases is what we find with Chuck Colson's loosely defined worldview theology, trumping other forms of knowledge while forgoing the hard work to understand them or to enter into critical engagement with whatever forms of knowledge may be seen as challenging to theology. Christianity does not necessitate, stipulate, or dictate the architectural engineering or building of a utopian society, and yet carries the idea that all can potentially and will one day be redeemed. The dominant late twentieth-century Evangelicalism in the United States affirmed this message, and with additional social emphases. For example, the anti-abortion agenda of the religious right would especially benefit upper-middle class whites because it is communities of the poor, immigrants, and people of color who often have pressures of social stress amplified when more children are present.¹³⁸ The religious right pushed their agenda hard while growing their institutions and yet nevertheless maintaining that redemption would happen spiritually, with the gospel carrying few if any overall social implications. Redemption would also have to be experienced almost exclusively with and by their institutions, which meant that no prescriptive outcomes would be given for an uplifted society. Yet their institutions still would and did certainly grow. Meanwhile no gospel or *good news* or message of redemption or betterment would be held out for the society's social structures because there was no humanly engineered vision of a societal utopia of the likes found promised with eugenic philosophy.

Evangelicals embraced this eugenic thinking, along with its set of inherited assumptions, however inadvertently it may have been held. Their demonstrated commitment to an ongoing eugenic logic happening not because evangelicals were committed to the science of genetic research, or even scientific research at all. In its earliest manifestations, more explicit eugenics practices were not committed to this kind of open scientific inquiry either. As pseudoscience, eugenic research was grounded in already held assumptions about particular kinds of people, and a cultural worldview about them. These assumptions still operate today, often deeply embedded in theological logics, as pointed out in this article's previous section, which has often blinded well-intentioned believers to all kinds of new forms of injustice.¹³⁹ Efforts like the Human Genome Project have allowed this eugenic perspective for positive and negative outlooks, incorporating the research of scientists and ethicists but while lacking a critical analysis of the underlying assumptions surrounding the project as well as a robust involvement from all citizens in a manner consistent with democratically addressing major issues of morality that affect our citizenry.¹⁴⁰ This wider engagement will be needed while facing what Marcy Darnovsky refers to as "uncharted moral and political waters." She explains: "The recent controversy over embryonic stem cell research may be merely an early warning of biopolitical storms already on the horizon. Biotechnology-based products and procedures now under development will pose social and ethical questions unprecedented in human history. Some are close at hand."¹⁴¹ Pressing into matters of individual and collective public health prioritizes personal dignity consistent with Karl Barth's account of health: "the capacity

¹³⁸ See Randall Balmer, "The Real Origins of the Religious Right," *Politico*, May 27, 2014, <https://www.politico.com/magazine/story/2014/05/religious-right-real-origins-107133>.

¹³⁹ McDaniel, "John A. Ryan and the American Eugenics Society," 9.

¹⁴⁰ Sheila Jasanoff, J. Benjamin Hurlbut, and Krishanu Saha, "Human Genetic Engineering Demands More Than a Moratorium," in Obasogie and Darnovsky, *Beyond Bioethics*, 472–74, at 474.

¹⁴¹ Darnovsky, "'Moral Questions of an Altogether Different Kind,'" 476. For a lengthier critique of the Human Genome Project, see Eduardo Rodriguez, "The Human Genome Project and Eugenics," *Linacre Quarterly* 65, no. 2 (1998): 73–82. See also further concerns along racial lines as detailed in Roberts, *Killing the Black Body*, 264–72.

to live as the rational subject of one's own history, 'the power to be as man exercised in the powers of the vital functions of soul and body.'"¹⁴²

It is not difficult to see the rise of mass incarceration as a major exhibit of how eugenic logic works. American theology has not developed much in response to the phenomenon of mass incarceration or its eugenic logic, and as discussed has often abetted both.¹⁴³ For the most part, eugenics went underground to avoid the radar in the postwar period. Meanwhile, theologies that incorporated and supported eugenic thinking operating in both pre- and postwar periods maintained continuity and even grew, developed, and intensified in the postwar period amid flourishing institutions. This served to reenforce status quo racist approaches as mass incarceration emerged as a working out of a persistent eugenic logic and individualism as well as a punitive approach toward those deemed either impossible or else unlikely to be redeemed. Theology nevertheless not only provides critical conceptual categorical frameworks for scrutinizing concepts at work at the intersection of eugenic logic and the theological and cultural history leading up to mass incarceration, but it can also provide constructive approaches to these things.

Reconceptualizing theology from sound theological sources that lead to better actionable ethics may indeed provide the antidote to nationalism, scientism, scientific racism, or eugenic logic, and offer better ways of thinking and acting in light of contemporary challenges that eugenic thinking was intended to address. And while concerns may still exist over whether theology can be part of the solution when it has already been so much part of the problem, especially for its wide-reaching universal claims that often fail to sufficiently understand its particular, regional, and therefore limited nature, with this particular problem of evangelical support of mass incarceration in view, more clear and careful analysis can be given. Theology is the strongest antidote for both bad theology and bad science and whatever structural and political actions might result from them. Theology provides grounds for resistance of the strongest order and has been deployed in the resistance of regimes for centuries.¹⁴⁴

Take, for example, the wonder of humanity, conceiving of humans as created in the image of God, with full dignity and bodily integrity,¹⁴⁵ and not just what has been previously afforded by the state or other conventional social groups, but as self-evident by virtue of humanity's very nature.¹⁴⁶ Taken as a gift, the matter renders a respect for humanity's complicated features and a treasuring of the human will, desire, being, and consciousness,

¹⁴² See Donald Wood, "This Ability: Barth on the Concrete Forms," in Brock and Swinton, *Disability in the Christian Tradition*, 391–426, at 399, citing Barth, *Doctrine of Creation*, 371.

¹⁴³ Significant exceptions may be recent emphases in Black and liberationist theologies that are beginning to allow for greater reckonings with the modes of existence of particular communities in light of ongoing social, racial, and economic injustices.

¹⁴⁴ For an account of how this has been done in Latin America in resistance to empire from Bartolomé de Las Casas (1484–1566) to the twentieth century, see Robert Chao Romero, *Brown Church: Five Centuries of Latina/o Social Justice, Theology, and Identity* (Downers Grove: InterVarsity Press, 2020). There are also centuries of localized Baptist and Reformed theologies that have resisted regimes that held out utopian (often in light of or in fact consequentially resulting in dystopian) visions.

¹⁴⁵ See Father John Ryan's moral rationale for rejecting eugenics with its mutilation of the "bodily integrity" of a human person in the face of so-called "self-protection by the State," including his opposition to the ruling in *Buck v. Bell*. John A. Ryan, *Human Sterilization* (Washington, DC, 1927), 1–9. For further details on Ryan and Cooper's involvement with early eugenics, including Cooper's critique of its support for the "doctrine of superior races" and Ryan's refusal to participate in a panel on immigration and miscegenation, resulting in "the crystallization of opposing, and increasingly hardened, ideologies[.]" see Leon, *An Image of God*, 49–51, 64–65.

¹⁴⁶ For a trenchant critique of how the state attempts to exert total control over humans through the prison or other legal forms of coercive and transformational actions that coopt or else replace otherwise meaning-making religious phenomena, see Winnifred Fallers Sullivan, *Church State Corporation: Construing Religion in US Law* (Chicago: University of Chicago Press, 2020). See also Sullivan, *Prison Religion*.

together with the cellular and atomistic features, altogether of a nature uniquely humanity's own. As such, it invokes additional ways that our understandings may further develop a richer, fuller theological anthropology that mimics the delight of contingency and the gift of beautiful imperfection, which celebrates life and love and compassion and struggle, in light of a day when everything will once and for all be healed and renewed. For now, Christian theological anthropology focuses on the one true human, Jesus of Nazareth, whose life embodies the power of what the fullest and truest description of what our humanity might be. While Colson may have worried about science providing research to seek to humanly engineer this, Jesus has already embodied the perfection being sought and one day will effect it for all on his own terms and by the Holy Spirit's direct action, as the gospel promises.

When the epistemic reframing of knowledge and reality in the present that would focus on Jesus of Nazareth, similar to Bonhoeffer's emphasis on weakness, one finds that Jesus was far more concerned for the weak than the strong. From his Sermon on the Mount (Matthew 5.1–12), Jesus' pronounced blessing focuses on the poor in spirit, those who mourn, the meek, the merciful, the peacemakers, and the persecuted. To the point, in his treatment of the so-called "new eugenics" with its far more recently successful efforts to effect "the core principle" of eugenics, theologian R. Kendall Soulen summarizes a Christian approach to humans in contrast to new eugenics in the following ways: new eugenics "replaces" rather than "redeems" or "heals"; it prefers *some* existing humans to others instead of affirming the worth and dignity of *every* human; it selects the last to be "eliminated" rather than "the last shall be first" (Matthew 20.16); and it screens and counts traits rather than affirms the acceptance of *every kind* before God, who beholds *what* we are in light of *who* he calls us to be, consistent with the ancient prophetic biblical tradition.¹⁴⁷ This vision challenges the dehumanizing tropes brought on by the new eugenics, not only in its approaches to humans, but also with regard to negative eugenics and also to eugenic philosophy more broadly. The Christian response sees and prioritizes the weak, the poor, the troubled, and those seeking refuge, prescribing humility for everyone, and especially those in power, and especially those who have been found on the side of the oppressors or within oppressive institutional structures.

This kind of constructive theological proposal seeks even further forms of wisdom in order to resource the ongoing embodiment of a tradition that carries with it an enduring critical gaze toward other disciplines just as it does toward the systemic and structural forces that undercut a vision of justice for all of humanity, with little time and space for apologetic arguments for eugenic thinking found within the academic disciplines and among other intelligences about different human groups, however these may exist in relationship to the scientific communities with various forms of evidence brandished for their conclusions. And here is also where any account of theological anthropology with its attention to redemption and possibilities for human flourishing must also constructively draw from a doctrine of sin to account for all of this. Any robust theological reckoning with eugenic thinking will mean rendering judgment about the nature of sinful, even evil, action as well as flawed, harmful, thinking in a throwaway culture.¹⁴⁸ But this is not the way things were meant to be, nor the way they always will be, necessarily. Such a position and vision require a confrontation, then, and the entering of a struggle to produce meaningful research, acknowledging and accepting the challenge of a continually ongoing and robust engagement with the disciplines, including medical and genetic research, along with social

¹⁴⁷ R. Kendall Soulen, "Cruising toward Bethlehem: Human Dignity and the New Eugenics," in *God and Human Dignity*, ed. R. Kendall Soulen and Linda Woodhead (Grand Rapids: Eerdmans, 2006), 114–20.

¹⁴⁸ For a rejection of racist attempts amid social sin and structural evil to "scapegoat some sinners while seeming to leave the rest untainted[.]" including his discussion of mass incarceration, see Thomas H. McCall, *Against God and Nature: The Doctrine of Sin* (Wheaton: Crossway, 2019), 266–70.

policy and other forms of knowledge both embedded in and influencing our systemic social structures. Such work will always proceed with a demand of full transparency and accountability that pursues a loyalty with capacity to uplift everyone, especially those otherwise left behind, relegated to the margins, and deemed unworthy of what they are truly intended for—for glory—in whatever circumstances they may otherwise be found.

Conclusion

Eugenic thinking continues to drive actions today. Professing evangelicals have contributed to this thinking amid wider cultural conditions, which leads them—and, by extension, other religious groups' leaders and followers—into a need to discover the normative principles related to their own traditions' enablement of mass incarceration.¹⁴⁹ That particular theological norms and modes of theological reasoning yielded outlooks that reenforced, or perhaps helped give rise to, this mentality can help bring clarity to the present situation. The matter has additional importance for Appleman's proposal, teaching not just the complicated eugenics history at all levels of education but also incorporating religious rationale at work in the history while also contextualizing relevant historical scientific discoveries. In addition to this, a religious and theological literacy would need to feature prominently in the establishment of any sort of permanent commission on ethics and eugenics.

The modern prison and its making from criminal justice policy comprise the greatest example of the inextricability of church and state,¹⁵⁰ which in turn means that religion and theology just may indeed be a lot more responsible for mass incarceration than previously understood. A more modest conclusion about the matter might be that American evangelicals inherited the baton of postwar American populist religion, and with it the ubiquitous eugenic logic present before eugenics went incognito. This would explain why, when it came to discussions of eugenics, although displaying earlier racist sentiments in his work with Prison Fellowship, Chuck Colson would later direct his attention to positive eugenics (as a practice posing a potential threat to society) rather than mass incarceration as a eugenic practice (which had already created a societal threat). As such he displayed total cognitive dissonance on the matter, with no substantial critique of the prison, which was consistent with Evangelicalism's attitude as reflected in Billy Graham's punitive and penal outlook.

On the related matter of whether evangelicals also more widely inherited the pseudoscience or else the more powerful cultural and theological logics that had an already-established posture toward the science that reenforced prejudicial (racial, eugenic, and otherwise) fundamentalist notions already embedded within their theology, a tentative conclusion can be reached. If the former (evangelicals inherited the eugenic pseudoscience), then theology gave a boost to this eugenic thinking, perhaps without it having been realized, with special significance as eugenic pseudoscience went underground. My argument makes no necessary judgment about malicious or evil intent, although further research may reveal that what was intended with a lot of twentieth century theology was intended to deliberately propagate racist eugenic perspectives on humanity. The commitment to an anti-intellectual fundamentalism that created evangelicals' cognitive dissonance toward science that enabled a greater trust in pseudoscience (and conspiracy theories), which in turn

¹⁴⁹ Similar to the approach taken in National Research Council, *The Growth of Incarceration in the United States: Exploring Causes and Consequences* (Washington, DC: National Academies Press, 2014), <http://nap.edu/18613>.

¹⁵⁰ See Sullivan, *Prison Religion*; Sullivan, *Church State Corporation*, 126–59; and also Dubler and Lloyd, *Break Every Yoke*, 65–103, on the prison's unique “political theology” of mass incarceration as secular-religion replaced more traditional theologies.

enabled stronger eugenic logics that are anti-immigrant, anti-disabled, and anti-criminal (rather than anti-crime) corresponds precisely with the kind of economic system that requires mass incarceration for its existence.

Acknowledgments and Citation Guide. *With thanks for assistance with and comments on earlier drafts of this article by Terence Keel; Aaron Panofsky; Hans Madueme; Peter Choi; Jonathan Simon; Keramet Reiter; Adelaida Brown; Aaron Kheriaty; Douglas Campbell and Sarah Jobe with the Duke Prison Studies Program; Vince Bacote; David Stubbs and Todd Cioffi with the Calvin Prison Initiative; Nicholas Wolterstorff; Fred Zaspel; Mark Noll; Matt Elia; Jenny McBride; Carolyn Chen and David Hollinger at the Berkeley Center for the Study of Religion; students in my UCLA undergraduate sociology of crime and prison religion courses; and two anonymous reviewers. Research support for this article came from the Science-Engaged Theology initiative, New Visions in Theological Anthropology: Engaging with the Behavioral Sciences, University of St Andrews, Scotland, 2020–2022 funded by the John Templeton Foundation (Grant # 61508); and from the Lilly Endowment (Grant #2018 1193) for The Sacred Roots: Thriving in Ministry Project, Taylor University, Upland, Indiana. The author has no competing interests to declare. This article is cited consistent with the Chicago Manual of Style, 17th edition.*

Cite this article: Sexton, Jason S. 2024. "Reconceiving Christianity and the Modern Prison: On Evangelicalism's Eugenic Logic and Mass Incarceration." *Journal of Law and Religion* 39, no. 1: 85–115. <https://doi.org/10.1017/jlr.2023.40>