Power, the Powers, and Policing
A Response to "The Gospel or a Glock?"

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Introduction

In "The Gospel or a Glock: Mennonites and the Police,"[1] Andy Alexis-Baker responds to recent Mennonite writing regarding the policing function, arguing that Mennonites ought have nothing to do with participation in police forces. The argument is grounded partly on a particular view of the police as one of the "principalities and powers." Alexis-Baker makes two comments that interpret policing in these terms, one indirectly and the other directly. Suggesting that neither one-kingdom nor two-kingdom theology provides adequate ground for understanding the nature of policing and the relation of the Christian to it, he states:

> One solution is to replace this notion with another option, fully scriptural and theologically sound: the modern state (and its police), is a creation, not of God, but of human beings, that has taken on a demonic life of its own which humans do not control. It has no special place in God's plan.[2]

The consequences of this assertion are revealed in the article's last paragraph. Arguing that Mennonite churches should ban policing for their members, the author says:

> Keeping a skeptical distance from this principality and power would strengthen our ability to discern when it is justifiable to call upon the police.... [O]nly God is wise enough to subvert [police violence], God's people are not. Far from resigning police agencies into the worst possible hands, Mennonite non-participation leaves them in their proper place – in God's hands. Our job is to call people to 'come out from among them, and be separate' (2 Cor. 6:17).[3]

While there is much to question in these few sentences, not least Alexis-Baker's low view of the church, my discussion focuses on the view

of the powers underlying his argument. The argument has the following chiastic form:

- The powers are a human creation
- Some of the powers are demonic and outside human control
- The Christian must remain separate and eschew participation in the demonic powers and thus must not participate in the policing function
- The police are one of the demonic powers, and as such are outside human control
- The police are a human creation and are one of the powers.

By relying on this view of the powers, Alexis-Baker falls into a dualism of the very kind he argues against: Christians may, presumably, be involved with institutions that are not demonic powers,[4] but they must 'come out from among' the demonic powers. This dualism lends itself to the quietism and conservatism that he blames on two-kingdom theology.[5] Once having left the demonic powers in God's hands, the Christian is free to ignore them and live within the safety of the separated community, which is not itself a demonic power. However, a more nuanced and biblically sound understanding of the powers can provide resources for determining how we are to engage the powers and what it means for a Christian to be involved in the policing function.

The Powers in New Testament Thought

The New Testament language of the powers is varied, imprecise, and fluid,[6] as seen in the wide range of words and concepts used to describe them, in what John Howard Yoder describes as "stimulating confusion."[7] As Yoder notes, Paul shifts between political, cosmological, and religious language in ways that are sometimes parallel and sometimes not.[8] Given this varied language, it is not surprising that interpreting the powers is contested territory. Interpretations range from Wesley Carr's denial that the NT evidences an understanding of extra-human forces of evil,[9] through Walter Wink's conviction that language of the powers as the "interiority" of institutions pervades the NT,[10] to Clinton Arnold's assertion that such

structural interpretations deny spiritual reality while misconstruing institutions as inherently evil.[11]

What, then, can be said about the powers? They are both material and spiritual. The writer to the Ephesians, for example, means to include "all the powers, human, supra- and sub-human, the height and depth, width and breadth of opposition to God."[12] The distinction between spiritual powers and those described politically would be incomprehensible to that writer, who "would not have seen these as alternative categories, but as diverse manifestations of a seamless web of reality hostile to God."[13] As Jacques Ellul frames the point:

> [T]he state is an *exousia*. There is in it a plus that has to be taken into account [....] But when all is said, we perceive a residue, a kind of impregnable core, an inexplicable hardness. [...] Beyond factors that may be understood or analyzed, not everything can be accounted for, as in the case of the soul that the scalpel cannot find no matter how close the analysis. The residue is a spiritual power, an *exousia*, that inhabits the body of the state.[14]

The NT affirms that the powers are created beings, in the same way that humans are created, and were intended to play a positive role within creation. The writer to the Colossians asserts of Christ: "He is the image of the invisible God, the firstborn of all creation; for in him all things in heaven and on earth were created, things visible and invisible, whether thrones or dominions or rulers or powers – all things have been created through him and for him. He himself is before all things, and in him all things hold together" (Col. 1:15-17, NRSV). Yoder translates the final clause "in him everything 'systematizes'," and asserts that this systematizing is a divine gift.[15] This ordering of existence is necessary for society to function and is thus an essential aspect of God's good creation. Although the powers have rebelled against God, a simple dualism regarding them is impossible. The powers "are still, despite themselves, inseparably bonded to the principle of rationality and cohesiveness in the universe."[16]

The NT is unequivocal that the powers are fallen. Thus, the writer to the Ephesians exhorts readers to take on the whole armor of God, "[f]or our struggle is not against enemies of blood and flesh, but against the rulers,

against the authorities, against the cosmic powers of this present darkness, against the spiritual forces of evil in the heavenly places" (Eph 6:12, NRSV). The powers have sought independence from Christ, for whom and in whom they were created, and have instead become beholden to, and sources of, death. Rather than mediating God's saving purposes, they stand between humans and God, seeking to keep humans outside the love of God, enslaving humanity: "The structures which were supposed to be our servants have become our masters and our guardians."[17]

The powers are ubiquitous. William Stringfellow offers this enumeration:

> The very array of names and titles in biblical usage for the principalities and powers is some indication of the scope and significance of the subject for human beings. And if some of these seem quaint, transposed into contemporary language they lose quaintness and the principalities and powers become recognizable and all too familiar: they include all institutions, all ideologies, all images, all movements, all causes, all corporations, all bureaucracies, all traditions, all methods and routines, all conglomerates, all races, all nations, all idols. Thus, the Pentagon or Ford Motor Company or Harvard University [...] or the Olympics or the Methodist Church or the Teamsters Union are all principalities. So are capitalism, Maoism, humanism, Mormonism, astrology, the Puritan work ethic, science and scientism, white supremacy, patriotism plus many, many more – sports, sex, any profession or discipline, technology, money, the family – beyond any prospect of full enumeration. The principalities and powers are legion.[18]

To this list could be added *The Conrad Grebel Review*, the student body at AMBS, Mennonite Church Canada, Mennonite Church USA, and two-kingdom theology. This ubiquity means the powers cannot be escaped. They shape every aspect of human life, as almost everything that humans do connects in some way to those that provide ordering for society.

The powers have been defeated and are being redeemed: "He disarmed the rulers and authorities and made a public example of them, triumphing over them in it" (Col. 2:15, NRSV). Yet at the same time Ephesians, by

calling the church to put on the armor of God and to enter the fray of divine combat, affirms that the battle is not yet finished. God's lordship, while not questioned, is not yet fully established; the powers are not yet vanquished.[19] However, the defeat of the powers (whether present or future) does not lead to their destruction. Rather, in their defeat the powers will be returned to their proper function. No longer standing between humans and God, they will serve God's creative purposes by playing their proper ordering function for society.[20]

Again, the danger is to fall into a simple dualism: the powers as we experience them in the midst of the fall may appear as unremittingly evil; only after the final consummation, in the new heaven and the new earth, will they return to their ordering role and give up their idolatry. For Yoder, however, this dualism is inadequate. Even in their fallen state the powers have not fully abandoned their proper function: "[T]he working of the Powers is not something limitlessly evil. The Powers, despite their fallenness, continue to exercise an ordering function. Even tyranny (which according to Rom. 13:1 is to be accounted among the powers) is still better than chaos and we should be subject to it."[21]

Living among the Powers in the Age of Not Yet

Alexis-Baker evinces a yearning for a separated community living at peace with itself, retaining its purity by non-involvement with the powers. This yearning is a false hope, for the separated community as church is itself a principality and power, and never more so than when it exercises the ban. Similarly, both the seminary of which Alexis-Baker is a graduate and its student body are also principalities and powers. The student response to "Peter," described as an example of a peaceful action in contrast to a policing function, can also be described as an action to protect the community and to maintain order – the very function the powers were created to fulfill. Whether the action was life-giving, as intended for the powers in their creation, or beholden to the power of death remains an open question. What is not an open question is that the student body, as a principality and power, is itself fallen, and thus in its behavior both seeks to fulfill its God-given function and cannot avoid the taint of death in cutting off its relationship with Peter.

Michel Foucault, particularly in *Discipline and Punish*,[22] articulates a view of power that aids in our understanding the workings of the powers

and their ubiquity. At the heart of his description is a turn away from seeing power as something possessed by the sovereign subject, something that has a center and that oppresses. Foucault sees power as something that is creative, produces reality and knowledge, disciplines, and ultimately produces the individual, but has no headquarters. This power resides neither in individuals nor in institutions, but in "capillary existence," where it is produced in the network of relations.[23] Power is not limited to those social structures normally seen as possessing it. While Foucault addresses issues of criminal law, policing, and incarceration, he does not privilege these functions with regard to the operation of power but sees them as cases where the operation of power relations may be most visible. He traces the history of power through such historical avenues as the development of the pastorate and confessional in medieval Europe[24] and the techniques of controlling epidemics like plague in the Middle Ages and smallpox in the 18th century.[25] In each case power operates through mechanisms of observation, collecting of information, and shaping expectations of behavior.

If I read Alexis-Baker correctly, he is arguing that the police are different from other representatives of the powers, and that their use of power is different from the way other professionals exercise it. Yet if I am correct about the ubiquity of the powers, and if, as Foucault argues, power is dispersed through the network of social relations, then such privileging of the police does not adequately address either the functioning of the powers or the way power operates.

There is thus no reason in principle that being a police officer places one in a different relationship to power/the powers than being a lawyer, an engineer, a doctor, a mediator, a teacher, a pastor, a government statistician, or a theologian. The law, education, the church, theology, and health care are all powers necessary to the ordering of society. The professions participate in the networks of relations within which these powers are embedded. These networks of power relations create both the professional and the professional's place in the networks. Each person, in practicing a profession, paying taxes, living in communities, accessing health care, or gathering information participates in the web of power relations, is being constituted as a citizen, and is beholden to the powers.

The task for Christians, then, is not departure from power/the powers,

as that is impossible, but discernment of how we participate in power/the powers and how we resist. This resistance is not that of those who either hold themselves apart from participation in the powers or are independent of the network of power relations that shape them. It is the resistance of those who, by virtue of being present within society, find themselves living within networks of power relations and participating in the powers. As we participate in and stand beside the powers, as we grant their ordering of society, there are ways to participate that leave us beholden to death and ways to participate that aid in holding death at bay.

There has long been a debate among Mennonites, in my own profession of law, about the appropriateness of Christian involvement with the profession. In its early stages this debate was no less difficult than the current discussion over policing. Thomas Shaffer, a law professor at the University of Notre Dame, and John Howard Yoder kept up a conversation around this issue. Parts of it are reproduced by Shaffer in *Moral Memoranda from John Howard Yoder*.[26] Yoder suggests that lawyering is not univocal; various tasks make it up (ranging from "writing wills and contracts so as to be easy to implement" to "postponing the implementation of environmental rules")[27] but they are not all morally equivalent. Rather than ask whether a Christian is called to be a lawyer, he contends it is better to inquire into what things a lawyer does that a follower of Jesus is called to do.[28] Similarly, I would argue that policing is not univocal: reducing the tension in a domestic dispute so that the parties can get assistance with their relationship is not morally equivalent to a SWAT team battering down a door with weapons drawn. The question is not whether a Christian may be a police officer, but whether there are things police officers do that followers of Jesus are called to do.

This framing of the issue moves the conversation into a much more complex mode of ethical decision making, as it calls for discernment within the faith community as members wrestle together over their participation in the powers. Police officers and those considering a career in a police force will engage this conversation no more than any other person in the community whose life connects with the powers. Given the ubiquity of the powers, this means all members will have to participate in this discernment process regarding their work and life.

Both the discernment process and the outcome entail considerable risk. Complex ethical issues rarely lend themselves to clear affirmations or clear prohibitions. Rather, the outcome is more likely to point in a direction that entails contingency.

An Ethic of Risk

Sharon Welch describes a mode of decision making that she designates as "an ethic of risk." Rejecting a mode of decision making that denies the contingent nature of the world, Welch argues that an ethic of risk involves experimentation that makes choices, without knowing where they may lead, in the context of a supportive community.[29] By urging a ban on policing, Alexis-Baker in contrast avoids the riskiness of ethical discernment in a world of contingency.

This ethic of risk is the basis for the process of discerning the appropriate role for the Christian in policing. Rather than an a priori assumption about the appropriateness of a Christian becoming a police officer, an ethic of risk explores what it means to be both a follower of Jesus and a police officer. It will explore such issues as what roles are available within policing, how the Christian will fulfill the duties of a police officer, what forms of discretion are available to the officer, how that discretion might be exercised, and what the Christian officer will do both in and after situations where de-escalation does not work and the application of force is called for under police guidelines. The risk in this process of reflection and discernment is that the outcome cannot be known in advance. The risk affects both those who oppose, a priori, Christians becoming police officers and those who come to the discussion supporting that role for Christians. In addition, if church members do become police officers, this discernment process must be ongoing as new situations arise that call for further testing.

The proper place for this kind of discernment, this practicing of the ethic of risk, is the church. Rather than exercising the ban for participating in police occupations, the proper task is serious engagement in discerning the spirits so that all members are able to struggle with their involvement with the powers. This discernment process must engage the person involved in the policing role, together with congregational members able to contribute by virtue of either their familiarity with the role or their spiritual maturity.

Attention to Scripture, the theological tradition, and prayer, combined with a clear understanding of the police role will all be necessary. The primary conversation will focus on issues of call, what police officers do that a Christian is called to do, and how to address what they do that a Christian ought not do. The goal will not be a final answer on whether Christians may be police officers but a contingent answer on whether, and how, this particular Christian should be a police officer, and what forms of support and accountability this particular congregation will provide.

This form of ethical decision making in the congregational context avoids the dualism of a strict ban on policing. At the same time it takes seriously the church's role in ethical discernment, the nature of both church and policing as powers, and the contingent nature of ethical discernment for all Christians seeking to forge a life in the world that lives out Jesus' call to peaceful action.

Notes

[1] Andy Alexis-Baker, "The Gospel or a Glock? Mennonites and the Police," *CGR* (Spring 2007): 23-49.

[2] Ibid., 35-36. Alexis-Baker footnotes this statement with references to John Howard Yoder, *Christian Witness to the State* and Jacques Ellul, *Si tu es le fils de Dieu: souffrances et tentations de Jesus* on the state as demonic. While both writers would accept Alexis-Baker's statement on the demonic nature of the state, neither would agree that the state as a power is of strictly human origin.

[3] Alexis-Baker, "The Gospel or a Glock?" 40.

[4] The argument is a little confusing. While Alexis-Baker asserts both the human creation and demonic character of the powers, it is not entirely clear whether in his view there are institutions that, while being human creations, are not demonic. The logic would seem to require this, since Christians are to "come out from among" the demonic powers, but Alexis-Baker clearly participates in institutions, such as AMBS and the publishing of scholarly journals.

[5] Alexis-Baker, "The Gospel or a Glock?" 34.

[6] Walter Wink, *Naming the Powers: The Language of Power in the New Testament*, The Powers, Vol. 1 (Philadelphia: Fortress Press, 1984), 9. See also Marva J. Dawn, *Powers, Weakness, and the Tabernacling of God* (Grand Rapids: Eerdmans, 2001), William Stringfellow, *An Ethic for Christians and Other Aliens in a Strange Land* (Waco: Word Books, 1973), and

David Toole, *Waiting for Godot in Sarajevo: Theological Reflections on Nihilism, Tragedy, and Apocalypse* (Boulder: Westview Press, 1998), 218.

[7] John Howard Yoder, *The Politics of Jesus: Vicit Agnus Noster*, 2nd ed. (Grand Rapids: Eerdmans, 1994), 137.

[8] Ibid.

[9] "[T]he notion of the mighty forces of evil ranged against man (sic) was not part of the earliest Christian understanding of the world and the gospel." Wesley Carr, *Angels and Principalities: The background, meaning and development of the Pauline phrase hai archai kai hai exousiai* (Cambridge: Cambridge Univ. Press, 1981), 176.

[10] Wink, *Naming the Powers*, 105.

[11] Clinton E. Arnold, *Powers of Darkness: Principalities and Powers in Paul's Letters* (Downers Grove: InterVarsity Press, 1992), 195. See also Gregory A. Boyd, *God at War: The Bible and Spiritual Conflict* (Downers Grove: InterVarsity Press, 1997), 276, who argues that the earthly "powers" are the tools of the "far more significant powers 'in the heavenly places,'" meaning that "the earth has, quite literally, become a fierce war zone and a desecrated battlefield."

[12] Thomas R.Yoder Neufeld, *'Put on the Armour of God': The Divine Warrior from Isaiah to Ephesians* (Sheffield: Sheffield Academic Press, 1997), 123.

[13] Ibid.,124. Wink also speaks of the "seamless robe" of heaven and earth (Naming the Powers, 16), yet his argument tends to downplay the character of the powers as spiritual in favor of their character as inherent in social structures.

[14] Jacques Ellul, *The Subversion of Christianity*, trans. Geoffrey W. Bromiley (Grand Rapids: Eerdmans, 1986), 175. With his last sentence Ellul seems to grant more independent existence to the powers than Wink would.

[15] Yoder, *Politics of Jesus*, 141.

[16] Wink, *Naming the Powers*, 64.

[17] Yoder, *Politics of Jesus*, 141.

[18] Stringfellow, *An Ethic for Christians*, 78.

[19] See Yoder Neufeld, *Armour of God*, 126.

[20] Hendrik Berkhof, *Christ and the Powers*, trans. John Howard Yoder (Scottdale: Herald Press, 1962), 41.

[21] Yoder, *Politics of Jesus*, 141.

[22] Michel Foucault, *Discipline and Punish: The Birth of the Prison*, 2nd ed., trans. Alan Sheridan (New York: Vintage Press, 1995).

[23] David Toole, *Waiting for Godot in Sarajevo*, 177.

[24] Michel Foucault, *Security, Territory, Population: Lectures at the Collège de France, 1977-78*, trans. Graham Burchill (New York: Palgrave MacMillan, 2007), 191 ff. I am grateful to Andy Alexis-Baker for introducing me to this collection of lectures, though I suspect he might use Foucault's argument differently than I do.

[25] Ibid., 9 ff.

[26] Thomas Shaffer, *Moral Memoranda from John Howard Yoder: Conversations on Law,*

Ethics, and the Church between a Mennonite Theologian and a Hoosier Lawyer (Eugene, OR: Wipf and Stock Publishers, 2002).
[27] Ibid., 34.
[28] Ibid., 35.
[29] Sharon Welch, *A Feminist Ethic of Risk* (Minneapolis: Fortress Press, 1990).

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