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Matthew L. Skinner

Luther Seminary, mskinner@luthersem.edu

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Remember My Chains: New Testament Perspectives on Incarceration

Matthew L. Skinner
Luther Seminary, Saint Paul, Minnesota
mskinner@luthersem.edu

Abstract

Understanding the physical realities and social attitudes concerning incarceration in the ancient world provides a fuller context to the New Testament's unadorned and ambiguous references to people's experience of being held in custody. The context is crucial for interpreting biblical passages that commend caring for prisoners, that reaffirm God's strength and nullify the ignominy associated with incarceration, and that declare God's power over the means and motives of imperial coercion. Such passages also compel the contemporary church to advocate on behalf of prisoners and to denounce the systems that regularly victimize them.

Keywords

Acts of the Apostles; Apostle Paul; Compassion; Corinthians, Second; Honor and Shame; Incarceration; Penal System; Prison; Roman Empire; Sheep and Goats

Incarceration is a familiar motif in Christian Scripture. Joseph, Jeremiah, John the Baptist, Peter, and Paul—several of the Bible's most outspoken characters—endure prolonged imprisonments as a consequence of their words, actions, and controversies. The threat of custody also involves less conspicuous people: various New Testament passages speak of incarceration as practically a normal aspect of Christian discipleship (e.g., Matt 25:31–46; Luke 21:12; Heb 10:32–34; Rev 2:10). Moreover, not everyone experiences the same kinds or severity of incarceration. While always menacing to one degree or another, descriptions of incarceration vary. Those descriptions make a range of points. Sometimes a biblical narrative includes a scene about incarceration to underscore the magnitude of the opposition that resists God's representatives (as with John's arrest and brutal execution [Mark 6:14–29]). Incarceration may heighten the prospect of a detainee's legal jeopardy and public dishonor (as with Paul's experiences in custody). In some cases a biblical book may depict incarceration's effects as illusory or short-lived because its emphasis falls on a stronger hope that God might rescue prisoners and humiliate authorities who purport to control the spread of the good news (as with the miraculous prison-escapes in Acts [e.g., 16:16–40]).

Faced with so many imprisoned luminaries and multiple references to arrested and incarcerated disciples, interpreters of the New Testament benefit from understanding what custody entailed in antiquity—what it meant for a person to be detained and how incarceration, a means of controlling and ordering a society, functioned in relation to wider social and imperial realities. Not only does an accurate perspective on ancient incarceration discourage modern interpreters from erroneously viewing all references to imprisonment as descriptions of identical circumstances and physical conditions, but it also fosters greater nuance in our efforts to let our

engagement with Scripture inform Christian theology, practices, and advocacy in the current social landscape, which has its own particular ways of using and abusing incarceration.

Accordingly, this essay will begin with an overview of the kinds of places and conditions in which ancient prisoners were kept as well as the intentions behind or functions of their incarceration. Following the overview, explorations of biblical texts will illuminate a handful of specific ways in which passages about incarceration contribute to the New Testament's theological rhetoric. We will conclude with reflections on how the contemporary church's biblical imagination might compel it to bear witness to the gospel of Christ in a culture ravaged by mass incarceration and the lies societies tell themselves about convicts and criminal justice.

Prisons and Incarceration in the New Testament Context¹

A brief overview of the Greco-Roman setting reveals that the New Testament's references to incarceration contain significant ambiguity. Interpreters must avoid injecting modern notions of prisons and judicial practices into ancient accounts. In most cases, biblical references to imprisonment do not denote separate and dedicated structures with fortifications and individual cells. Although many larger cities in the Roman Empire of the first century had discrete prison buildings used primarily for holding prisoners, in many places "prison quarters tended to be opportunistic, occupying structures."² Military barracks, administrative buildings, quarries, or even elaborate pits and subterranean rooms could do the job of holding a person or groups in custody for any length of time.³ Not every place of incarceration was specifically built to be a "prison."

Terminology

A Greek word commonly used to designate a prison structure (*desmōtērion*) appears infrequently in the New Testament (only in Matt 11:2; Acts 5:21, 23; 16:26). Much more common and less architecturally specific are references to "chains," "restraining," "guarding," and "custody" (*desmos*, *deō*, *tērēsis*, and *phylakē*).⁴ Popular English translations (e.g., CEB, NIV, NRSV) risk sowing misunderstanding when they usually translate those terms with specific reference to "prison" as opposed to a more general notion of "custody." For example: the NRSV describes Peter telling Jesus, "Lord, I am ready to go with you to prison and to death!" instead of "into custody [*eis phylakēn*] and to death!" (Luke 22:33). In Phil 1:13 Paul tells his readers, according to the NRSV, "my imprisonment is for Christ" instead of "my chains [*desmōus*] are for Christ" (cf. 2 Tim 1:16). As Acts 8:3 tells the story in the CEB, Saul would seize men and women and "throw them into prison" as opposed to the more generalized and perhaps less sensational translation "deliver them into custody [*paredidou eis phylakēn*]." The point is a minor one, but it bears noting: the New Testament ordinarily prefers to speak of custody and incarceration in an

¹ Much of this section builds on a summary of ancient sources and major secondary studies that I offer in *Locating Paul: Places of Custody as Narrative Settings in Acts 21–28*, AcBib 13 (Atlanta: Society of Biblical Literature, 2003), 79–86.

² Norman Johnston, *Forms of Constraint: A History of Prison Architecture* (Urbana: University of Illinois Press, 2000), 1.

³ Compare, from an earlier time, Jeremiah's incarceration in a cistern (Jer 38:6–13; cf. Isa 24:22).

⁴ In a similar fashion, Hebrew terms such as *'asar* (bind) and *šamar* (keep) can refer to a range of sites and conditions in Old Testament discourse about incarceration and custody.

unspecific sense as opposed to keeping people in a specific building called a prison. The terminology's vagueness makes references to restraint and chaining flexible. The terms encompass a wide range of possibilities that authorities had at their disposal when dealing with detainees. What the New Testament's custody vocabulary shares in common is not reference to specific types of places and buildings as much as the conditions in which one is held against one's will by authorities and sequestered from the general public.

Legal and Judicial Functions

Incarceration places a prisoner into a liminal existence because incarceration—by definition—is a means of enforced social quarantine. In the Roman world, prolonged incarceration also indicated a person's liminal status from a legal point of view. For the most part, detainees who possessed relatively high social status could typically expect short-term incarceration (usually while awaiting a judicial hearing or sentencing) and lenient incarceration conditions such as house arrest or military custodianship.⁵ Magistrates had other options for punishing influential and privileged criminals who had been convicted of crimes, including exile and financial penalties. For some prisoners, then, incarceration was meant primarily to restrict their freedom while they awaited the next phase of a judicial process.⁶ This corresponds well to numerous passages in Acts, Philippians, and Philemon that offer indirect descriptions of what custody was like for Paul—a man whose status, connections, education, or wealth appear to have secured him certain freedoms within the circumstances of his incarceration.⁷

For the majority of the Roman Empire's population, who lacked the social prerogatives and legal advantages that belonged to those in the uppermost reaches of the Roman social hierarchy, incarceration might have lasted longer and served different purposes. Those who could not pay their way out of imprisonment or into better conditions with money or political capital had little recourse. Formal trials with legal advocates were for society's elites. In most Roman provinces, such as Judea and the places where Paul traveled, local officials enjoyed broad discretion over legal matters, unless the accused possessed Roman citizenship or had friends and family in high places.⁸ Imprisonment was therefore always a powerful and painful resource for

⁵ Peter Garnsey, *Social Status and Legal Privilege in the Roman Empire* (Oxford: Oxford University Press, 1970), 103–52.

⁶ Later Roman legal writings, such as those by the jurist Ulpian in the early third century, contend that imprisonment should not be used as a punishment but only as a means of temporary confinement (Justinian, *Digest* 48.19.8). Plenty of evidence exists, however, to indicate that in earlier periods Roman officials sentenced persons to prison as a form of long-term punishment. See Craig S. Wansink, *Chained in Christ: The Experience and Rhetoric of Paul's Imprisonments*, JSNTSup 130 (Sheffield: Sheffield Academic Press, 1996), 28–32; Brian Rapske, *The Book of Acts and Paul in Roman Custody*, vol. 3 of *The Book of Acts in Its First Century Setting*, ed. Bruce W. Winter (Grand Rapids: Eerdmans, 1994), 16–20.

⁷ Even if Paul was not a Roman citizen (in contrast to the controversial claims in Acts 16:37–38; 22:25–29) and therefore not a member of society's elite echelons, still he appears to have possessed enough social capital to avoid the most miserable custodial conditions that were possible in the Roman Empire, as described below.

⁸ Garnsey, *Social Status*, 103–52; Jill Harries, "Courts and the Judicial System," in *The Oxford Handbook of Jewish Daily Life in Roman Palestine*, ed. Catherine Hezser (Oxford: Oxford University Press, 2010), 85–90.

the state's agents, if it was politically expedient to incarcerate an individual. Incarceration may not have been a *formally decreed* punishment for those who found themselves in legal trouble—such as imprisonment is in the modern world, where prison sentences are a primary tool of penal systems. In other words, the official reasons why people might have found themselves incarcerated might have been merely to await hearings or sentencing. Nevertheless, those in custody often found their circumstances to have punishing effects. Not much would have prevented a magistrate in a first-century Roman province from using the harsh conditions of imprisonment to alter an inmate's behavior, coerce a confession, settle a score, or hasten death—whether or not that inmate had been formally convicted.

Physical Conditions

Ancient writings include several grisly accounts of the conditions incarceration entailed for those who were not elite, wealthy, or connected enough to enjoy comparatively humane forms of military custody, house arrest, or entrustment to a surety. Some sources describe torture and arbitrary corporeal punishment from savage guards.⁹ Accounts of forced labor, painful chains, dark and unsanitary conditions, and overcrowding also characterize the literature; some prisoners opted for suicide to escape the misery.¹⁰ To survive in such a setting, prisoners required a support network on the outside—people who could provide them with food, clothing, and other necessities.

Once again, the physical conditions of incarceration depended on who was detained, where, and why. Someone with debts (e.g., Matt 18:30) might be stripped of freedoms until an advocate could pay or an equivalent amount of labor was completed. Ancient sources refer to some prisoners being able to read, plan legal strategies, and play games.¹¹ Bishop Ignatius of Antioch composed at least seven letters while held and transferred as a prisoner at the beginning of the second century CE. Oblique references to incarceration in biblical texts therefore require that interpreters avoid importing too many assumptions about physical conditions. Instead, interpreters should take note of clues in relevant passages. Acts paints a rather dire portrait of Paul and Silas's conditions, for example, in part because the people in Philippi, a Roman colony, perceive the missionaries' lack of status: both of the detainees are stripped of their clothing and endure beatings, and fetters prevent them from moving (Acts 16:22–24; cf. 22:24–25). During a very different experience late in his career, Paul describes a less restrictive environment with attention to the material and moral support he received from Epaphroditus in conditions that allowed him to write to fellow believers (Phil 2:25; 4:18) and apparently converse with his guards (Phil 1:12–13).

Honor and Shame

Second Timothy expresses misgiving that incarceration had the potential to make other believers ashamed of Paul and his situation (2 Tim 1:8, 16). That was a reasonable concern in light of

⁹ Rapske, *Custody*, 29, 256–59; Wansink, *Chained*, 46–55. See, e.g., Lucian, *Toxaris* 28; Philo, *De Iosepho* 81–84.

¹⁰ Rapske, *Custody*, 196–223; Wansink, *Chained*, 33–38, 47–48, 58–61. See especially Lucian, *Toxaris* 29–30; Diodorus Siculus 31.9.2–5; Thucydides 7.87.1–3.

¹¹ Wansink, *Chained*, 66–70; Richard J. Cassidy, *Paul in Chains: Roman Imprisonment and the Letters of St. Paul* (New York: Crossroad, 2001), 45–46, 52. See, e.g., Philostratus, *Vita Apollonii* 4.46; 7.10.

standard attitudes about incarceration and prisoners. Incarceration commonly brought shame—not simply because of a presumption of guilt or the disgrace of indebtedness—but because detention undermined Greco-Roman norms of personal agency and self-control as marks of virtue. Values concerning honor and masculinity expected a man to exercise mastery over his circumstances and others. Incarceration, by its very definition, involves loss of mastery. Being in custody evoked associations of enslavement and submission, which generally triggered contempt among Roman freemen. Accordingly, prisoners’ families, friends, and associates could suffer shame or ostracism and in some cases might be inclined to dissociate themselves from the incarcerated person. Some ancient sources suggest that physical constraints, such as manacles and fetters, intensified the degree of shame.¹² Incarceration usually exacted a social cost, although some figures who navigated unjust judicial treatment with dignity or faithfulness—including Socrates, Jesus, the apostle Paul, and Christian martyrs of later centuries—could accrue even greater honor in the estimation of their admirers.¹³

Observations

This brief overview of the historical context demonstrates that there was no single way of experiencing incarceration during the apostolic era. Despite the variety and ambiguity in the New Testament’s references to custody—whether a text has in mind a dedicated prison building in an urban area or instead any kind of a secure room within in a military barracks or a governor’s residence (like Herod’s *praitōrion* in Acts 23:35)—some basic observations about incarceration and its functions are nevertheless possible.

First, there was nothing like a “prison system” in the modern sense. In other words, during the early imperial period, before Roman legal foundations and practices were widely codified, custody was one tool among many that provincial officials could use to curb crime, maintain social stability, stifle dissent, and protect Roman values. Second, as is true also for most aspects of Roman society, social status and class made a tremendous difference for how confined people would be treated and what privileges they could expect. Those nearer the bottom of the scale tended to experience the cruelest aspects of custody and the most limited legal recourse.¹⁴ Third, incarceration usually meant risk, especially for those who endured harsher conditions and locations. For the most part, governing officials had no obligation to care for those held in custody. Imprisonment, even for the least offence, could end up being a virtual death sentence for those who lacked sufficient health, strength, prestige, or support networks. Fourth, those in custody found themselves dependent. Stripped of their own personal and social agency to one degree or another, prisoners relied on other people to meet their material needs and conduct business on their behalf. This dependence could strain a detainee’s circle of family and associates, especially if they found themselves targets of derision and distrust on account of their relationship with the person in custody.

Prisoners and Incarceration in the New Testament

¹² Rapske, *Custody*, 288–98; Wansink, *Chained*, 59–60, 48–49. See, e.g., Tacitus, *Historiae* 3.12; Seneca, *Controversiae* 9.1.7.

¹³ Regarding martyrs, see *Passion of Perpetua* 3 and *Acts Paul* 7. Cf. Wansink, *Chained*, 72–75.

¹⁴ Garnsey makes this case in his *Social Status*.

Understanding the varied nature and general social consequences of ancient incarceration adds nuance to the interpretation of otherwise un-descriptive biblical references and helps interpreters identify particular ancient attitudes toward incarceration and its effects. Various passages describe, evaluate, and respond to incarceration in different ways. In doing so, the passages sometimes endorse common attitudes about incarceration and sometimes reframe them. By considering a selection of sample cases we can get a better sense of how incarceration can function in the theological rhetoric of New Testament writings.

Providing Compassion and Care

Knowing about the magnitude of risk, dependence, and shame that incarceration could generate for most prisoners allows interpreters to detect greater urgency in passages that encourage believers to show concern for prisoners. Probably the best known passage in this regard is Jesus's description of judgment before "the throne of glory," when "the king" identifies and separates sheep and goats (Matt 25:31–46). Among the praiseworthy things the sheep have done (and the goats have neglected to do) is to visit the Lord when he was "in custody" (author's translation of *en phylakē* in Matt 25:36, 39, 43, 44). Jesus speaks about his presence within any of "the least of these brothers and sisters of mine" (Matt 25:40, NIV) who resides in custody and thus experiences all of the associated jeopardy. Given Matthew's wider context, this passage may have incarcerated Christian disciples in mind when it speaks of "brothers" (and sisters), although Christian ethicists have persuasively argued that the whole passage exhorts readers to serve all the disadvantaged people of the world and to find Christ present in doing so.¹⁵

The book of Hebrews offers similar exhortations when it tells its audience, as an expression of "mutual love" (Heb 13:1), to "be mindful of prisoners [*desmiōn*] as though you were held in bonds with them [*sundedemenoi*]" (Heb 13:3, author's translation).¹⁶ The audience had done so in the past as an expression of co-suffering with prisoners (Heb 10:34). Hebrews probably envisions fellow members of the Christian community here, perhaps those whose incarceration was meant to intimidate them, but the book does not limit compassion only to detainees who were church members. These verses commend more than lukewarm charity; they ask the audience to commit themselves to prisoners, acting out concern that expresses solidarity with prisoners in their sufferings.

If there is urgency and necessity in those two passages' exhortations, there is also an implicit call to holistic care. To visit and be mindful of prisoners in the ancient context, in which shame and disrepute could spread from prisoners to their caregivers, extends beyond social calls or prayerful supplications. The passages suggest taking responsibility for prisoners' physical and nutritional needs and risking the cost of whatever might result, be it loss of honor or guilt by association.

It is not difficult to derive from those passages imperatives for today's Christian communities to care for prisoners as a means of sharing in Christ's self-giving presence and a means of expressing love. The holistic nature of that care and the personal risk that caregivers

¹⁵ The literature on the identity of "the least of these brothers and sisters of mine" and on the theological-ethical implications of this passage is copious. See a summary of interpretive options in Arland J. Hultgren, *The Parables of Jesus: A Commentary* (Grand Rapids: Eerdmans, 2000), 318–25.

¹⁶ Cf. Luke Timothy Johnson, *Hebrews: A Commentary*, NTL (Louisville: Westminster John Knox, 2006), 340.

would have assumed in the ancient setting might also inform contemporary notions of what it means to visit and be mindful of prisoners. The church's practices can extend to contributing toward prisoners' physical, medical, spiritual, vocational, and educational needs; promoting the well-being of prisoners' families; training, encouraging, healing, and employing those who have earned their release; and engaging in political advocacy for penal policies and prison environments that are humane, just, and merciful. Such ministry and advocacy occasionally sparks backlash. The social costs of extending active compassion toward prisoners are not merely an ancient phenomenon.

Dismantling Shame

Several Pauline letters (Ephesians, Philippians, Colossians, 2 Timothy, and Philemon) refer to Paul conducting ministry as a prisoner. Paul's passing mentions of his imprisonments in 2 Corinthians are nevertheless the most productive places to begin an examination of his legacy as a prisoner. With two verses (2 Cor 6:5; 11:23) that name incarcerations among numerous other hardships such as beatings, hunger, torture, and shipwrecks, Paul interprets his experiences in custody as yet another way in which the gospel manifests itself. In short, Paul refuses to regard his incarcerations as tokens of ignominy. He regards the vulnerability he experienced and the public humiliation he faced as confirmations of his identity as an apostle.¹⁷

More than any other Pauline letter, 2 Corinthians dwells on the diverse sufferings that the apostle and his associates had to endure. When Paul moves from general summaries of his characteristic hardships (2 Cor 1:3–11; 4:7–10) to two specific lists of his travails (2 Cor 6:3–10; 11:23–28), in both instances the lists mention his “incarcerations [*en phylakais*]” (2 Cor 6:5; 11:23). Although he provides no additional details about how often he was held in custody, for how long, where, why, or in what specific conditions, the mere mention of these hardships reinforces Paul's positive assessment of situations that might otherwise have been shameful and debilitating.

The two catalogs of troubles contribute to Paul's overarching effort to confirm himself and Timothy as faithful ministers in contrast to rumblings among the Corinthians that the missionaries were ineffective or duplicitous.¹⁸ In citing his incarcerations alongside the beatings, hunger, and shipwrecks he endured, Paul denies that being in custody should paint him and his ministry in any shameful or discreditable colors. Instead, he regards the hardships—because they arise from his work as an apostle—as representative of Jesus's own weakness and sufferings (2 Cor 1:5; 4:7–11; 13:4). Paul does not try to garner sympathy from the Corinthians; he illustrates what it means to participate with Christ. As a person “in Christ,” Paul shares fully in all of Christ's experiences and benefits from Christ's blessings (e.g., 2 Cor 2:14–16; 4:10). God brings life from death. Paul's times in custody confirm it.

Given incarceration's associations with subjugation, shame, and weakness, Paul's eagerness to “boast of the things that show [his] weakness” (2 Cor 11:30) could have backfired,

¹⁷ See Calvin Roetzel's discussion of Paul's rhetoric about suffering in 2 Corinthians, the opposition Paul faced in Corinth, and themes from Hellenistic philosophy in Paul's position (*Paul: The Man and the Myth*, Studies on Personalities in the New Testament [Minneapolis: Fortress, 1999], 52–60).

¹⁸ See, e.g., J. Paul Sampley, “The Second Letter to the Corinthians: Introduction, Commentary, and Reflections,” in vol. 11 of *The New Interpreter's Bible*, ed. Leander E. Keck et al. (Nashville: Abingdon, 2000), 12–22.

especially if his opponents in Corinth mocked him for being such an apparently unmanly spokesperson for Jesus Christ. His claims can appear precarious for other reasons as well, if interpreters assume the apostle was valorizing injuries, embracing victimization, or championing suffering as a purifying force in and of itself. But Paul's point is hardly perverse. Rather, he rejects incarceration's power to define him or the authenticity of the ministry that led to his arrests. He refuses to allow social mores about strength and honor to impose limits on his theological understanding. Paul knew that Jesus's crucifixion has a peculiar ability to declare divine affirmation of human worth. No incarceration for Christ's sake—and, presumably, no other kind of incarceration—can ultimately thwart God's willingness to enter sites of degradation and oppression and create something new. Paul refused to be defined by the stigmas that his society attached to incarceration. Christians who stand in Paul's theological legacy might also reassert that the basic human dignity God bestows must not be sullied or called into question by a chain, a prison cell, or a rap sheet.

Subverting Imperial Pretensions

The book of Acts is a story about the spread of Christian witness throughout Roman-controlled territory, but it also is a story about custody. Custody serves as one of the tools officials employ to stem—ultimately unsuccessfully—the growth of Christian communities in Acts. The narrative treats incarceration as an obstacle for God to overcome. No other New Testament writing gives such attention—nearly breathless attention, in fact—to prisoners and the authorities that purport to control their movements. Ancient authors knew the dramatic potential of incarceration; when prisons are part of the story, they ratchet up the pathos in tales of separated lovers and persecuted truth-tellers.¹⁹

Interpreters should see the incarceration scenes in Acts as more than an exciting plot device, however. Along with the narrative's tales about courtroom drama, confused or outraged officials, and the perseverance of those who proclaim the gospel in the face of opposition, stories about incarceration allow Acts to depict the Christian faith's means of interacting with Roman values and assumptions. In any setting incarceration is an element of discourse about power. Prisons, fortified rooms, military barracks, and even settings of house arrest are means by which the state seeks “to control the borders of dissent within their territorial domain.”²⁰ Or, to put the matter more starkly: “The prison has never been about criminals but about societies.... [T]he prison is a tool for control and containment.”²¹ The stories about incarceration in Acts therefore

¹⁹ See the novels *Leucippe and Clitophon*, by Achilles Tatius (Books 3 and 6), and *An Ephesian Tale*, by Xenophon of Ephesus (Book 2). For discussions of supernatural prison-escapes in Dionysian and Jewish literature (especially Euripides's *Bacchae* and Artapanus's *Concerning the Jews*), see Craig S. Keener, *Acts: An Exegetical Commentary*, 4 vols. (Grand Rapids: Baker Academic, 2012–2015), 2:1209–10; Richard I. Pervo, *Profit with Delight: The Literary Genre of the Acts of the Apostles* (Philadelphia: Fortress, 1987), 19–24; John B. Weaver, *Plots of Epiphany: Prison-Escape in Acts of the Apostles*, BZNW 131 (Berlin: Walter de Gruyter, 2004), 29–91.

²⁰ Barbara Harlow, “Sites of Struggle: Immigration, Deportation, Prison, and Exile,” in *Reconfigured Spheres: Feminist Explorations of Literary Space*, ed. Margaret R. Higonnet and Joan Templeton (Amherst: University of Massachusetts Press, 1994), 109.

²¹ Willie James Jennings, *Acts, Belief: A Theological Commentary on the Bible* (Louisville: Westminster John Knox, 2017), 167.

challenge imperial presumptions that the Christian message can be contained, even as those stories also insinuate that imperial strength is vulnerable to subversion and manipulation, so that God might advance God's purposes.

Among the most spectacular scenes in Acts are three miraculous prison-escapes. In the first (Acts 5:17–42), temple authorities seize the apostles and hold them in some kind of gated public space.²² When an angel frees them, they immediately return to the temple to resume teaching before the flustered authorities re-arrest them. Neither the incarceration nor the escape have a lasting effect; the events frame the issue as a question of whether the apostles will obey God or Jerusalem's priestly elites. The events also question whether the authorities will recognize God's will at work in Jesus's followers. The second scene, (Acts 12:1–19), involves greater jeopardy, as Peter's escape from custody requires him to flee, lest Herod Agrippa I fulfill his plan to execute the apostle. Following the angelic intervention into Peter's incarceration and Herod's death by the hand of an angel, "the word of God continued to advance and gain adherents" (Acts 12:24). In the last scene of the trio (Acts 16:19–40), Paul and Silas are in no hurry to leave the earthquake-damaged prison in Philippi. They demand a reversal. Just as the jailer who previously chained them eventually washes their wounds and hosts them for a meal, the magistrates who ordered their beating and incarceration have to apologize and publically vindicate the missionaries. In doing so, the authorities offer an implicit acknowledgement of God's superior power and the baseless nature of their attempt to criminalize Paul and Silas. All told, through these three scenes, the authorities' efforts to intimidate, overwhelm, harm, or discredit God's representatives fail. The accounts in Acts do not promise deliverance from *all* threat and persecution; rather, they signify "the breaking of resistant authority" by a God whose intentions will prevail (cf. Acts 5:38–39).²³

When the narrative reaches Paul's extended custody, which occupies about a quarter of the book, the focus is different. The most noteworthy feature is that Paul remains in custody; the pattern of prison-escapes ends. Yet the narrative continues to pronounce defeats of officials' attempts to quarantine representatives of the gospel, even as in Acts 21–28 the depiction of incarceration and its effects takes on a new function in the story's theological outlook.²⁴ First, Paul displays an almost incredible mastery over his circumstances. The account in Acts gives hardly any attention to the degradation and suffering that characterized the experience of most prisoners of that time. Repeatedly Paul experiences rescue from the threat of violence or the machinations of his enemies, surviving with apparently little effort. Second, he finds repeated opportunities to bear witness about Jesus to audiences of elite figures such as provincial governors and Herod Agrippa II. Even if Paul's preaching does not generate converts, still the good news spreads within and because of the settings where Paul is detained (cf. Eph 6:19–20;

²² On the insufficiency of the NRSV's translation "public prison" in Acts 5:18, see Keener, *Acts*, 2:1208.

²³ Weaver, *Epiphany*, 286. Weaver also correctly notes that the escapes are more about ensuring that the witness about Jesus Christ will continue than about preserving the lives of heroic individuals: "prison-escape is not just a release *from* prison, but also a release *for* proclamation" (ibid.).

²⁴ I make this and the subsequent paragraphs' argument about Acts 21–28 in greater detail in "Unchained Ministry: Paul's Roman Custody (Acts 21–28) and the Sociopolitical Outlook of the Book of Acts," in *Acts and Ethics*, ed. Thomas E. Phillips, New Testament Monographs 9 (Sheffield: Sheffield Academic Press, 2005), 79–95.

Phil 1:14). Third, and perhaps most incongruous with Paul's status as a man in custody, he performs actions that require degrees of agency and leverage that defy his status as an isolated or vulnerable captive. For example, he issues orders to a Roman centurion (Acts 23:17) and acts more like a captain of an imperiled ship than anyone else on board (Acts 27:9–11, 21–38).

On the whole, the narrative of Acts 21–28 dramatizes the word of God—which Paul bears and represents—as able to frustrate the Roman Empire's power to impede its influence. If custody cannot accomplish the empire's will, and if Paul's incarceration actually allows him to commandeer his circumstances to persist in his vocation as one who will bear witness “before Gentiles and kings” (Acts 9:15) and “also in Rome” (Acts 23:11), then the contours of the sociopolitical order are not what they appear to be. The Christian message, propelled forward by divine intention, proves capable of “turning the world upside down” (Acts 17:6), even by destabilizing Rome's means of confining Paul's movement and message. Even incarceration, one of the empire's mechanisms for controlling its population and their ideas, proves unable to halt Paul's witness and influence. In light of Paul's experiences as a prisoner (according to Acts), Rome's authority appears to be only provisional, if not illusory.

Acts depicts a power struggle between God and domineering expressions of Roman authority that provokes many questions for interpreters. For one, claims about God overwhelming or subverting imperial muscle may uncomfortably imply that divine power looks much like Caesar's. In addition, interpreters need to consider in what ways Acts criticizes the Roman Empire in particular and how those criticisms might extend to imperial systems more generally, beyond the first-century context. But our interpretation of Acts, in any generation, cannot overlook the narrative's efforts to declare imperial pretense and power as far from absolute. The word of God refuses to let the empire's values speak the last, definitive word.

Tending to all of the nuances involved in how Acts stages interaction between church and empire proves to be a massive task, which exceeds the scope of this essay. The criteria for characterizing imperialism and resistance are complex. This investigation focuses instead on the moral power of incarceration as a tool that states employ to make value judgments and accomplish their ends. Given that “the problem with prisons is that they remain an addiction for those who wish to silence voices, destroy bodies, and maintain hegemonies of all kind, political, social, sexual, economic, and religious,”²⁵ a study of New Testament portrayals of incarceration should consider the question of how it might inform contemporary discipleship and Christian discourse about power and dominance.

Biblical Imagination in a Culture of Mass Incarceration

This essay began by sketching some of the historical realities and social attitudes concerning incarceration in the New Testament context. That information illuminates the real perils of ancient imprisonment and the social stigmas that could burden individuals and communities who followed Christian directives to care for prisoners. Other New Testament writings speak about first-century believers' faith in the gospel's ability to thwart incarceration's capacity to strip prisoners of honor and power. In Acts, unexpected and unusual victories over incarceration celebrate the subversive power of God and the good news. Today's Christian communities can take guidance from the New Testament's outlooks on incarceration as they consider what it means for them to show compassion without fearing the negative repercussions, to declare the ironic nature of God's power, and to recognize the subversive potential of the Christian message.

²⁵ Jennings, *Acts*, 126.

Even though Christian texts and teachings refused to endorse all the standard cultural scripts about incarceration's power to isolate, discredit, and harm prisoners their associates, believers in the first century had little if any meaningful influence over how incarceration was practiced. The authors and audiences of the New Testament had more reason to fear incarceration and its social consequences than to protest or try to reform it. They could assume risks and promote different values, but real systemic change was beyond their reach. Rollicking accounts of miraculous escapes in Acts and references to Paul as "Christ Jesus's prisoner" (Phlm 1, 9; Eph 3:1) did not rally their ancient audiences to push for institutional reforms; instead, they represent instances of believers boldly defying their own vulnerability to that system. Those biblical passages essentially mock real and perceived threats as they counteract fears that God might prove no match for the power of the empire and its idolatrous systems.

Christians who reside in very different social and theological settings today can find other ways of responding to those texts. Even though Scripture may occasionally express defiant and doxological attitudes about believers in custody, that is no license for modern believers to romanticize or diminish the harsh realities and systemic cruelty that incarceration perpetuates. Today's churches have their own particular obligations to extend compassion to incarcerated people and their families. The costs of such compassion may not be the same as what they were in the honor and shame dynamics of Greco-Roman culture. Christian congregations that sponsor programs and job-training opportunities for felons released back into the community, that lobby against excessive sentencing guidelines, and that actively oppose fearful NIMBYism in their settings may face ire from their neighbors. Yet compassion toward prisoners remains compassion toward Christ.

The historical work of understanding the physical and social possibilities embedded in biblical references to incarceration takes on acute importance for exegetes who reside in a nation that imprisons 2.2 million men and women, torments 75,000 individual bodies in solitary confinement, and has made the penal system a ferociously effective abettor of institutionalized racial oppression.²⁶ Expansive industries profit handsomely by "servicing" prisoners, furthering the economic and racist stimulants of mass incarceration.²⁷ As in ancient times, so also today: the poor and powerless suffer disproportionate damage in judicial processes and custodial conditions.²⁸ American political culture clings to myths about prison construction stimulating

²⁶ On the 2.2 million figure (a 2014 statistic), see Danielle Kaebler et al., "Correctional Populations in the United States, 2014," *Bureau of Justice Statistics Bulletin* (December 2015) (online: <https://www.bjs.gov/content/pub/pdf/cpus14.pdf>; accessed 21 August 2017). On the number in solitary confinement, see Equal Justice Initiative, "Prison Conditions" (online: <https://eji.org/mass-incarceration/prison-conditions>; accessed 21 August 2017). On racial-ethnic disparities in prison populations, see Ashley Nellis, "The Color of Justice: Racial and Ethnic Disparity in State Prisons," The Sentencing Project (14 June 2016) (online: <http://www.sentencingproject.org/publications/color-of-justice-racial-and-ethnic-disparity-in-state-prisons/>; accessed 21 August 2017).

²⁷ Eric Markowitz, "Making Profits on the Captive Prison Market," *The New Yorker* (4 September 2016) (online: <https://www.newyorker.com/business/currency/making-profits-on-the-captive-prison-market>; accessed 17 October 2017).

²⁸ Bruce Western and Becky Pettit, "Incarceration and Social Inequality," *Daedalus* 139/3 (Summer 2010): 8–19 (online:

rural economies, fulfilling the general public's desire to keep prisons, prisoners, and the crisis of mass incarceration out of sight and out of mind.²⁹ Contemporary Christians simply cannot view incarceration as something that has been redeemed through Christ. Neither can believers minimize the public health and civil-rights repercussions of the American prison-industrial complex.³⁰ Overcrowded prisons magnify society's disdain for prisoners and stimulate recidivism. Children grow up without parents, released prisoners struggle to find employment and welcome in neighborhoods, and incarceration ensures that some families will remain permanently poor. The suffering does not restrict itself to those who sit behind bars. The multiple causes and consequences of mass incarceration therefore demand attention in Christian public theology.³¹ The moral failure made manifest by modern American prison systems obliges exegetes to treat biblical terms, imagery, symbols, and attitudes with care.

For many contemporary Christians, a first step involves questioning the labels that incarceration affixes to prisoners and denying imprisonment's ability to make absolute moral judgments about people and their worth. A return to the book of Acts proves helpful here. Prompted by the story of Paul and Silas's unjust incarceration in Acts 16 and reflecting on what prisons reveal about the societies that use them, Willie James Jennings writes: "The prison is used to teach us how to see people both in prison and those outside its walls and gates. Its way of instruction views those in prison as spoiled bodies, unfit for life in community and those outside its walls as victims in potential, needing to be shielded from these menacing humans."³² Jennings goes on to note that such a neat and tidy dividing line is a lie; the sheer notion of such a barrier obscures the moral space that exists between those whose crimes warrant some kind of removal from public life and those who end up incarcerated for any range of reasons. Not all who are imprisoned deserve to be there. Indeed, the whole concept of *deserving* becomes flattened and distorted by the lack of creativity that a prison represents. The logic of prison buildings and a "prison system" is that people belong either in or out; only two options exist. Is incarceration what guilty people *deserve*—all guilty people?

Prisons are still tools that societies use to designate who warrants a chance and who does not, and who warrants compassion and who does not. The obscured moral space to which Jennings refers—the same space where Paul and Silas find themselves because of hostile reactions they encounter in Philippi—is a space where imprisonment and a society claim the right to define a person and their worth. It is the space where Jesus was criminalized and unjustly

<https://www.amacad.org/content/publications/pubContent.aspx?d=808>; accessed 21 August 2017).

²⁹ David Gutierrez, "Mass Incarceration In Rural Communities: Out of Sight, Out of Mind," *Harvard Political Review* (27 May 2016) (online: <http://harvardpolitics.com/united-states/48325/>; accessed 17 October 2017).

³⁰ On the prison-industrial complex, see Angela Y. Davis, "Masked Racism: Reflections on the Prison Industrial Complex," *Colorlines* (10 September 1998) (online: <http://www.colorlines.com/articles/masked-racism-reflections-prison-industrial-complex>; accessed 21 August 2017) and Eric Schlosser, "The Prison-Industrial Complex," *The Atlantic* (December 1998) (online: <https://www.theatlantic.com/magazine/archive/1998/12/the-prison-industrial-complex/304669/>; accessed 21 August 2017).

³¹ James Samuel Logan, *Good Punishment? Christian Moral Practice and U.S. Imprisonment* (Grand Rapids: Eerdmans, 2008).

³² *Acts*, 168.

“suffered under Pontius Pilate.”³³ If the defining logic of imprisonment controls that moral space, it can discourage us from offering compassion freely. Because it is a space where human dignity is assessed, Jennings insists, it is a space in which Christian disciples have to choose but to enter as they do “this holy work of shattering the false connection of morality to prison,” in part by refusing to identify all convicts as criminals, by freely offering care and compassion even to malefactors, and by denouncing the evil compounded by an oppressive prison system that too often perpetuates the problems it claims to fix.³⁴

The “holy work” to which Jennings refers transcends the question of what it might mean to fashion a truly moral penal or legal system, for it engages a more radical theological and political question: “how must a disciple of Jesus give witness to [those systems’] end and the beginning of a new way of life together?”³⁵ Communities of faith cannot bear witness to such new beginnings if they insist on doing so from a distance while subscribing to incarceration’s one-dimensional logic.

There are many ways that congregations might answer Jennings’s question about the ways we might bear witness to a new way of life. A comprehensive answer exceeds the capacity of this essay; it also exceeds the insightfulness and courageousness of the article’s author. But those who provide leadership in answering the question—one made all the more urgent in light of America’s current incarceration fixation—probably know that the answers involve group effort and the church’s commitment to partnerships with other organizations and advocates to leverage their impact. Congregations have access to denominational resources and programs; they can also learn from and partner with groups such as Equal Justice Initiative, Amnesty International, Centurion Ministries, and organizations serviced by the National Resource Center on Children and Families of the Incarcerated at Rutgers University. The theological warrant for the church’s advocacy and compassion is undeniable. The social imperatives remind us that the costs a negligent society must pay are immediate and not merely eschatological.

As the lawyer, activist, and educator Bryan Stevenson explains, “The true measure of our [national] character is how we treat the poor, the disfavored, the incarcerated, and the condemned,” for “we are all implicated when we allow other people to be mistreated.”³⁶ What transpires behind a prison’s walls and bars is everyone’s business. Or, as Colossians expresses the parting wish of an incarcerated Paul to an ancient community of believers who needed to learn how to live out the implications of their Christian faith: “Remember my chains” (Col 4:18). He is not the only one calling churches to do so.

³³ From the Apostles Creed. See Matt 27:1–28; Mark 15:1–16; Luke 23:1–25; John 18:28–40, 19:1–22.

³⁴ Jennings, *Acts*, 168.

³⁵ *Ibid.*, 169

³⁶ *Just Mercy: A Story of Justice and Redemption* (New York: Spiegel & Grau, 2014), 18.