

Just the Police Function, Then A Response to “The Gospel or a Glock?”

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Introduction

Consider this thought experiment: Adam and Eve have not yet sinned. In fact, they will not sin for a few decades and have begun their family. It is time for supper, but little Cain and his brother Abel are distracted. They bear no ill will, but their favorite pets, the lion and lamb, are particularly cute as they frolic together this afternoon. So Adam goes to find and hurry them home. With nary an unkind word and certainly no violence, he polices their behavior and orders their community life. For like every social arrangement, even this still-altogether-faithful community requires the police function too.

A pacifist who does not recognize this point is likely to misconstrue everything I have written about “just policing.”¹ Having lived a vocation for mediating between polarized Christian communities since my years in war-torn Central America, I expected a measure of misunderstanding when I proposed the agenda of just policing as a way to move ecumenical dialogue forward between pacifist and just war Christians, especially Mennonites and Catholics. Whoever seeks to engage the estranged in conversation simultaneously on multiple fronts will take such a risk.² Deeply held identities are often at stake, and as much as the mediator may do to respect community boundaries, he or she can hardly help but threaten them simply by crossing back and forth. The risk of misunderstanding comes with the liminal territory, and nothing but a doggedly hopeful patience for continued conversation will minimize it.

I hope I will surprise both Andy Alexis-Baker *and* his critics as well as his sympathizers with my patience for his critique of just policing in “The Gospel or a Glock? Mennonites and the Police” (*CGR* Spring 2007). For while I believe that he and other Mennonites who share his anxieties about the agenda of just policing have misunderstood it at points – sometimes deeply – I myself am in no hurry for Mennonites to accommodate, much less

join, modern police forces as most are currently constituted. Alexis-Baker, as a Christian anarchist who sees the state and other top-down institutions undermining any truly human organization of society,³ celebrates localized, congregation- and community-based practices as the key to ordered social relationships. In many ways I agree: Until and unless peace churches recover and develop exactly such practices, Mennonites entering modern police forces without the most rigorous congregational discernment will be more of a distraction than a model from which to learn, as will those attempting to serve as police officers without continuing accountability to the church as primary loyalty and source of moral guidance.

The most prominent sign of Alexis-Baker's serious misconstrual of the just policing project is that he studiously reserves the terms "police" and "policing" for the militarized "crime-fighting" institutions to which he rightly and strenuously objects. Yet even so, the pre-nation-state watch systems that he holds up as an alternative – and indeed any Mennonite congregational process of ethical discernment of the sort he calls for – are also exercising the police function. These are precisely the forms of policing that Mennonites should explore but can explore only if they rightly and honestly name them. It is these stories and practices that I hope Mennonites will bring to the ecumenical table, and that all pacifists will contribute to the urgent and developing task of international peacebuilding.

For this to happen, however, the agenda on that table must be free of certain misunderstandings about just policing. Above all, just policing is a proposal not for a grand compromise between just war and pacifist traditions, right now or maybe ever. Rather, it is an agenda for conversation within and between church traditions. I suppose I have not always been clear about whether I expect complete convergence ever to be possible, no doubt because I remain uncertain. The hope I do see dimly on the horizon is that war might cease to be a "church-dividing issue," which is the technical way that ecumenists speak modestly of eliminating obstacles to unity without requiring a unanimity that would flatten out all differences or disvalue distinctive charisms and ecclesial vocations. Even so, when I have spoken most clearly I have talked only of creating "conditions for the possibility" of further convergence. And although I propose that divergent traditions explore just policing together, the tasks respective to each tradition are what

matter most, as each comes clean about the murky status of policing in their respective ethical systems.

Those of us who take up the just policing agenda, therefore, are not necessarily attempting “to translate Christian ethics into terms everyone can understand regardless of faith commitments or place in life.”⁴ Translation, yes, but not into some putatively universal moral Esperanto. In moving back and forth between working presuppositions and convictions within both just war and pacifist traditions, perhaps I could have said at every point that this-or-that statement is a “middle axiom.” Early in his career, John Howard Yoder proposed middle axioms as a way for pacifists in particular to speak within the ethical systems of others, by calling them to their own highest moral commitments.⁵ To label every such statement as such, at every turn, would have been exceedingly tedious, however. And in fact the later Yoder called more generally for developing the multilingual skills necessary for translation across ethical systems, one bilingual conversation at a time.⁶ The context of ecumenical dialogue encourages this anyway, and bearing that context in mind will help readers and interlocutors recognize rather than confuse the different moral “languages” we must often use as we proceed to challenge and learn from one another in conversation.

Just Policing: Justification of War?

My reply to another misunderstanding must be more complex. Reflecting as much fear as misunderstanding, this is the charge that to explore just policing will take Mennonites “down the garden path” toward a mainstream Christian justification of war.⁷ Certainly the purpose of my original article on just policing was to provide a resource for the international dialogue between Mennonite World Conference and the Pontifical Council for Promoting Christian Unity. And although I wrote that article as a Mennonite, I have since become a Roman Catholic. Thus I cannot pre-empt altogether the suspicion that all of this is evidence of a slippery slope. Still, those who know my other ecumenical work through Bridgefolk, the grassroots movement for dialogue and unity between Mennonites and Roman Catholics, should recognize that my personal and professional journey is all about seeking ways to preserve and strengthen the Anabaptist-Mennonite identity and charism while coming to terms with the reality that Christ’s global church

is much wider and longer. I have sought a way to make sense of that reality without sliding into either an easy Protestant liberalism or an acculturated evangelicalism.⁸

I do admit to this conviction: Unless Mennonites want to communicate a triumphalism that matches the worst tendencies of Roman triumphalism by expecting all ecumenical convergence to move in the Anabaptist direction – or else want to pull out of collaborative peacebuilding efforts with Catholics and other Christians that have led to remarkable areas of convergence already – they do have to anticipate the possibility of modifying some of their positions as they too learn from an “exchange of gifts” with other traditions. Nonetheless, I argue above all that there are ample reasons growing out of the authentic requirements of each respective tradition to take up the just policing agenda, whether it leads to further convergence or not.

If Alexis-Baker believes that I either have betrayed the Christian pacifism I continue to share as a “Mennonite Catholic” or am intent on baptizing the career choices of Mennonite police officers, this is due to a still more fundamental misunderstanding. That misunderstanding does even more disservice, though, to the MCC Peace Theology Project of 2002-2005 that produced *At Peace and Unafraid: Public Order, Security, and the Wisdom of the Cross*.⁹ This is not to collide the two projects. Although I participated in that project and helped edit the book, I never expected either my colleagues or MCC to endorse an ethic of just policing, which in any case may still remain too exploratory for anyone exactly to endorse.

That said, Alexis-Baker misconstrues both the MCC project and my own arguments about how pacifists can contribute to developing less violent and nonviolent forms of policing because he cannot seem to recognize that every human community – even an anarchist one – requires the police function to exist at all. A jittery Mennonite boundary maintenance seems to associate every use of words like security, order, governance and policing with a place he doesn’t want us to go but is sure we will go if we even use such words in a retrieved and theologically favorable manner. Never mind that this risks demonizing those modern police forces and officers who may be wrong or caught within violent systems but are nonetheless endeavoring in good conscience to practice humane, accountable forms of “community policing.” What is tragic about Alexis-Baker’s reading of our projects is that

his anarchist retrieval of nonviolent alternatives would give him more, not less, to offer those projects, if only he were not so intent on, well, policing them.

Community, Security, and Nonviolent Methods

Since Alexis-Baker cannot see the police function at work anywhere between brutalizing armed police and some “Platonic ideal” of policing,¹⁰ he will have none of this. Yet *At Peace and Unafraid* includes many examples of communities building or maintaining security in ways that do not rely on the apparatus of nation-states. My favorite is a short example that appears in Pamela Leach’s chapter.¹¹ As Mobutu Sese Seko was plundering Zaire with the backing of US military aid, the population sought to enhance its security by reducing their exposure to the state and its vicissitudes. Under such threats, populations strengthen their ties to local rather than international markets, practice alternative resourcing through barter, forge black market networks, and make changes in their production patterns. They employ ethnic associations and faith communities to reinforce their collective communal security.¹²

Elsewhere in that volume, Carol Penner struggles with the challenge of being an “inclusive” congregation while establishing and enforcing procedures that protect children from sex offenders it has welcomed into membership.¹³ Paulus Widjaja describes increasing security for Muslims and Christians in Indonesia through “empathy building” programs.¹⁴ Against the obvious fact that the “Kafkaesque bureaucracy” of Israeli occupation is making Palestinians far less secure, Alain Epp Weaver offers examples of nonviolent resistance enabling them to survive.¹⁵ Even Judith Gardiner, a Mennonite and London city councilor at the time of writing, highlights grassroots forms of ordering and self-policing in her neighborhood, and describes her political involvement as an extension of such (an-archic) social practices, not a displacement of them.¹⁶

How could Alexis-Baker read past these and many more examples? His assumptions and vocabulary simply do not allow him to recognize them. The problem surfaces in his first paragraph: “Some of the most influential writers [within North American Mennonitism] have taken up the task of providing a theology of security in order to offer ethical guidance for those

working within the nation-state system.” A footnote refers to *At Peace and Unafraid* and specifies his charge: “In fact the nation-state seems to be the primary point of reference for these thinkers. ‘Our model focuses primarily on social systems and how one orders societal institutions such as legal systems, political organizations, and economic structures so that they serve the common good.’”¹⁷ Like John Yoder decades ago in *The Christian Witness to the State*, the MCC project did of course attend to the ethical and pastoral challenges facing any Christian who would work within governmental structures, the legal profession, and so on. But the book generally, and Duane Friesen particularly, focused deliberately not on the nation-state but on quite the opposite. “Order does not depend only upon ‘top-down’ implementation by the state,” Friesen insisted, highlighting instead all that contributes to “creating a culture of peace” through “what Elise Boulding has called ‘the underside of history,’ the daily life of families and communities through whom we learn how to order our lives.”¹⁸

At the root of Alexis-Baker’s skewed and selective reading is an unjustified though telling leap. Examining his opening paragraph closely, we see that he has associated attention to “social systems,” “societal institutions” and, for that matter, legal, political, and economic structures with an exclusive and inevitable focus on the nation-state. But an anarchist should be the first to recognize that forms of social relationship, economic exchange, or indeed law and politics exist that do not rely, or need not rely, upon the arché or domineering rule of the modern nation-state. A Christian anarchist should be the first to recognize that the church as polis needs all these activities and structures within its own communal life – and all the more so if it hopes to offer the witness of alternative models to world. Such a recognition would still leave Mennonites like Alexis-Baker with much to debate concerning the degree of separatism¹⁹ required for clarity of witness, and how to negotiate our moral challenges when separation from surrounding cultures is anything short of complete. But such a debate can hardly be fruitful, much less mutually edifying or discerning, when debaters fail even to acknowledge how their debating partners are using words.

Central to the MCC Peace Theology Project was the challenge of taking back words like “public order” and “security” from militarists and fear-mongers, so that historic peace churches and other Christian pacifists

might develop a theological vocabulary for thinking about security issues without relying on the quasi-religious mythology of nation-states. This did not mean those involved in the project were ready to jump to Alexis-Baker's conclusion that the only faithful alternative for Mennonites is to "separate" themselves entirely from social structures that are not the church itself. But it does mean that the project and the resulting book gave far more attention than Alexis-Baker credits to conceptions and means of security that rely not on potentially lethal force but on relationships of trust and mutual responsibility. Could we have done more? No doubt. My colleagues would testify that far from pushing them to endorse modern police forces, I regularly said what we really need are the resources to conduct "a project combining the folk methods of Doris Janzen Longacre and the scholarly methods of Gene Sharp to gather far more examples on nonviolent 'best practices' that are contributing to human security."²⁰

This as much as anything is the overlap that does exist between my involvement in the MCC Project and my independent work on just policing. Alexis-Baker is wrong to categorize me with James Reimer as wanting to defend a just policing ethic with recourse to killing (if indeed his categorization is fair to Reimer).²¹ I am far closer to the position that Alexis-Baker associates with Duane Friesen, Lisa Schirch, and J. Daryl Byler, one that believes "nonviolent direct action has the potential to bring real security if there is the will and creative expertise to implement it."²² Even here, Alexis-Baker mischaracterizes our views as "optimistic pacifism." Friesen is quite clear that at the core of his position is the confession that Jesus Christ is Lord, not some optimistic view of human possibility.²³ I believe Friesen would join me in preferring to label our position as "hopeful pacifism" in order to signal its basis not in an optimistic reading of history or the human condition but in the theological virtues of faith, love, and hope, which refuse to give up on God's world or God's care for it, even in the face of discouraging contrary evidence.

And that really is the point – the area of overlap between these projects. Though I have rejected an ecclesial sectarianism that would either refuse to recognize non-pacifist Christians as brothers and sisters or attempt an ideological invulnerability to their strongest arguments, I do expect respective Christian communities to maintain their disciplines and charisms

as Benedictine or Franciscan or Pentecostal or Mennonite or Fill-in-the-qualifier communities. In turn, I want Mennonites to be faithful to their charism, because I continue to hope that peace churches will win the long historical argument over war and violence. It's just that they simply cannot and will not win any such argument without recognizing the legitimate human desire for security and the intrinsic role of the police function within all communities. So I hold out for hope.

I hope that “the wisdom of the cross” can yet be made discernible in the very “grain of the universe” and thus evident to all people of good will. Few things would contribute more to this effort – either from the Mennonite side of the ecumenical dialogue I advocate or through the witness that Alexis-Baker sees as the main task of Mennonite social ethics – than for Mennonites like him to help us recover historical accounts of nonviolent policing, to update the disciplinary practices that embarrass many modern Mennonites, and to develop contemporary nonviolent practices for protecting vulnerable peoples and ordering our communities. To these ends, I ask two things of Alexis-Baker and those sharing his views.

Two Requests to Critics

First, say what you want about my own work on just policing, but do not collide it with the MCC Peace Theology Project. Of course I would prefer that my own work not be misunderstood, that full account be taken of the ecumenical context in which I first proposed the agenda of just policing, and that closer attention be paid to the mediatory structure of my arguments. Still, I know that I do straddle boundaries and explore boundary regions. One such region is the possibility that the category of “vocation” can help Mennonites maintain or even strengthen their witness without effectively excommunicating all Christians who in good conscience cannot see their way through to a convinced pacifism. If I were even bolder when writing in an exploratory mode (or less diplomatic, perhaps), I might press Mennonite ethicists to face up to another issue – the question of whether, in order to work through yet other issues such as homosexuality in an ethically consistent manner, they do not need a way to uphold communal norms precisely by contemplating the category of legitimate exceptions. None of these are matters I have pressed upon MCC or even brought up, except

when speaking clearly in my own name alone. Instead, what I most ask of Mennonites at this juncture in the long historical debate between Christians working for greater unity is that they do what Alexis-Baker et al. could help Mennonites do – recover and develop nonviolent models of policing.

Secondly, what I not only ask but energetically advise is this: Do not confuse witness with critique. Do not just tell us what you’re against. Show us what you are for. My close associate in Bridgefolk and a contributor to my recent book on just policing, Ivan Kauffman, has pithily stated the challenge we all face in his chapter title “If war is wrong, what is right?”²⁴ Likewise, if militarized policing is wrong, what is right? Antiwar movements consistently falter by failing to meet this challenge, and anarchism may get even less of a hearing for much the same reason. Contemporary Anabaptism and Protestantism more generally often miss the same challenge by so celebrating “prophetic critique” that they delegitimize the very task of institutionalizing those changes the prophets call for. There is a toxic smugness to any critique not prepared in principle to help those who actually heed the critique when they try to realize the changes called for. More than that, a witness will be altogether too thin to be convincing in the first place if those witnessing are unable or unwilling to anticipate what the change they call for would look like if others heed their call. Perhaps in a rebellious world that is not heeding the still-wider call of Jesus Christ, specific calls to order community life in nonviolent ways will never receive a full response. But this does not let us off the hook. After all, nonviolent movements for just social change are less likely to win even provisional victories if they fail to offer a constructive vision or program.

So, tell us what you’re for. That will be far more persuasive than reacting to what you’re against.

Notes

¹ My initial article aimed at a handful of scholars involved in the Mennonite Catholic Theological Colloquium, which in turn aimed to make its work available to the delegations from the Mennonite World Conference and the Pontifical Council for Promoting Christian Unity engaged in a bilateral international dialogue from 1998 to 2003. That initial draft is available as “Just Policing: How War Could Cease to be a Church-Dividing Issue,” in

Just Policing: Mennonite-Catholic Theological Colloquium 2002, ed. Ivan J. Kauffman, Bridgefolk Series, no. 2 (Kitchener: Pandora Press, 2004), 19-75. A revision of that article appears under the same title in the *Journal of Ecumenical Studies* 41. 3-4 (Summer-Fall 2004): 409-30. I have since expanded this material into the three chapters under my byline in Gerald W. Schlabach, ed. and lead author, *Just Policing, not War: An Alternative Response to World Violence*, with Drew Christiansen, S.J., et al. (Collegeville, MN: Liturgical Press, 2007).

² Even if a proposal on one community's terms would move it closer to the other's position, that second community may hear a requirement to accept those terms unconditionally for itself. Likewise, to suggest ways that one community's stance might become more coherent can actually threaten the other and raise suspicions about the mediator's motivations, for it makes the stance of the first more accessible or even imaginable to the second. I suspect this is behind Andy Alexis-Baker's out-of-context reporting of a remark I once made to him in personal conversation, when I said I could *imagine* conditions in which a Christian might be part of a SWAT team (Andy Alexis-Baker, "The Gospel or a Glock? Mennonites and the Police," *CGR* Spring 2007: 42 n17). In fact I believe that those who uphold the just war position are a very long way from fulfilling such conditions; thus I call upon them, in a distinct but transparent conversation, to prove that their tradition is credible by turning it into one of *just* just policing. This requires a charitable act of imagination, but to imagine how an ethical position one does not share might become credible and convincing is not to say that one has yet been convinced. The capacity to exercise such imagination, however, is basic to any ministry of reconciliation, which requires the practitioner to enter the mindset or worldview of one's other.

³ See the website www.jesusradicals.com, which Alexis-Baker helps administer, for background on Christian anarchism.

⁴ Alexis-Baker, "The Gospel or a Glock?" 25.

⁵ John Howard Yoder, *The Christian Witness to the State*, Institute of Mennonite Studies Series, no. 3 (Newton, KS: Faith and Life Press, 1964), 31-33, 39-44, 71-73.

⁶ See for example John Howard Yoder, "'See How They Go with Their Face to the Sun,'" in *For the Nations: Essays Public and Evangelical* (Grand Rapids: Eerdmans, 1997), 51-78.

⁷ Gerald Biesecker-Mast, personal communication, 13 February 2004.

⁸ See Gerald W. Schlabach, "Catholic and Mennonite: A Journey of Healing," Mennonite Catholic Theological Conference (Notre Dame, Indiana, 2007), <http://bridgefolk.net/texts/SchlabachMCTC07.htm>. Also cf. Ivan Kauffman, "On Being a Mennonite Catholic," *MQR* 76.2 (April 2003).

⁹ Duane K. Friesen and Gerald W. Schlabach, eds., *At Peace and Unafraid: Public Order, Security, and the Wisdom of the Cross* (Scottsdale: Herald Press, 2005).

¹⁰ Alexis-Baker, "The Gospel or a Glock?," 33.

¹¹ Leach entitles her chapter "Gadfly Citizenship" because her goal is to identify "faithful public practices" that de-links our thinking about citizenship from "the national security model."

¹² Friesen and Schlabach, *At Peace and Unafraid*, 101-02.

¹³ *Ibid.*, 195-210.

¹⁴ Ibid., 261-74.

¹⁵ Ibid., 280f.

¹⁶ Ibid., 371.

¹⁷ Alexis-Baker, "The Gospel or a Glock?" 23, 41 n3, citing Friesen and Schlabach, *At Peace and Unafraid*, 160. In citing this passage to claim the nation-state is the "primary point of reference" for the MCC Peace Theology Project, he pulls the quotation out of context. Earlier in the appendix on pp. 153-64, the project team stressed that the Church is at the center of the visual model being explained. Further, a main point of the visual model, the appendix and the section containing the quotation was to make clear that the project was taking up one neglected area in Mennonite peace theology for sustained examination, and that "ordering" is only one of six areas in the team's theological model, not the "focus" of Mennonite peace theology.

¹⁸ Friesen and Schlabach, *At Peace and Unafraid*, 52-53. Friesen went on his chapter to lay out a view of vocation that keeps all Christians primarily accountable to the church, not to their professions, even if they hold public office (56-57). He labeled his list of "shalom practices" that address public institutions with recourse to violence clearly as "middle axioms," and included just policing only here (61, 68-65). He framed it by first listing primary "shalom practices" that are nonviolent, consistent with Jesus' life and teaching, and that offer "ways in which the church can help extend the application of nonviolence to secure human life and dignity" (61-68, quoting 61). This is anything but a "focus" on the nation-state system; it is a focus on the work of Jesus Christ and his church.

¹⁹ Cf. Alexis-Baker's closing sentence on p. 40.

²⁰ Friesen and Schlabach, *At Peace and Unafraid*, 445. References are to Doris Janzen Longacre, *More-with-Less Cookbook*, 25th anniversary edition (Scottsdale: Herald Press, 2000) and Gene Sharp, *The Politics of Nonviolent Action*, 3 vols., ed. Marina Finkelstein (Boston: Extending Horizons, 1973).

²¹ Alexis-Baker, "The Gospel or a Glock?," 24. At the MCC Peace Theology Project's August 2004 conference on "Seeking the Welfare of the City," Reimer at least *seemed* readier than I to make that move. Finding myself mischaracterized, however, I hesitate to hazard a characterization of Reimer's position. Handouts from the conference suggest that Reimer was defending a version of traditional Mennonite "two-kingdom theology" which, like Alexis-Baker's version, would trace back to the Schleithem Confession's formula and recognize "the sword" of civil authority as necessary "outside the perfection of Christ." That irony alone should warn us against facile characterization of one another's positions.

²² Alexis-Baker, "The Gospel or a Glock?" 25.

²³ Cf. Friesen and Schlabach, *At Peace and Unafraid*, 48-49.

²⁴ Schlabach, *Just Policing, not War*, 25-44.

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