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### **Between Athens and Jerusalem in Peacemaking Criminology: The Importance of Weak and Marginal Positions**

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I take the critical tradition in criminology as building on the hermeneutics of suspicion developed by Marx, Freud and Darwin which laid bare the lies and deceits of modernity, challenging the assumptions of what it means to be human, our place in the world and cosmos. Within these traditions religion's own will to power is exposed, God is revealed to be dead, with the consequence that people have to act (here, I am taking Camus' (2000) interpretation of Nietzsche). Postmodern thought including in criminology provides sources of actions (frameworks of thought) to interpret and change repressive structures (see Milovanovic, 2019). The development of peacemaking criminology grows out of this critical tradition but in addressing the problem and context of crime, seeks a hermeneutic of affirmation and returns to the 'wisdom traditions' that modernity and post-modernity have rejected. The debates engendered reflect an ongoing and contentious relationship between myth and reason in liberal democracies. Religions and various ideas of and about God are very much alive (much to the consternation of evolutionary theorists such as Richard Dawkins (2007) who struggle to understand why it has not been culturally selected out, given its obvious redundancy). Despite the efforts of the so called 'New Atheists' to expunge religion all together and liberal democracies, generally, to reduce matters of religion and faith to the private sphere, unconnected to constitutional politics, and thus being seen as no more than a private (if irrelevant) belief, religion remains a significant factor in society, politics and social policy. Religion, however, presents a double bind as it is associated with cultural and social cohesion with for example faith-based organisations delivering health and welfare services which are non-proselytizing, and often funded by governments. But also, despite being associated with violence and conflicts, politicians nonetheless mobilise judgemental and punitive attitudes to support both wars and a retributive criminal justice system. The enlightenment-based reification of reason based on a Cartesian reductionist positivism and cognitivism, obscures this double bind and the violence at the heart of culture. As a consequence, when it comes to understanding the relationship between 'faith and reason,' we have two distinct cultures which do not have a language by which to communicate. This emptiness can potentially become a space of self-defeating violence. This has led sociologists

such as Jürgen Habermas (see Calhoun et al 2013) to argue for the development of post metaphysical understandings of religion, and the contribution that they make to society and democracy. However, the separation of two cultures continue and are as prevalent in criminology as in other disciplines with the peacemaking tradition being dismissed as a minority interest due to its connection with doxastic traditions rather than 'science.'

In this paper I want to address 'head on' the issue of religion by utilising insights and resources from the work of René Girard within the context of the so called 'religious turn' in Continental Philosophy, to try to develop the oeuvre of peacemaking. This turn has led to the death of the death of God discourse (expressed by Richard Kearney (2010) as Anatheism, or returning to God after the death of God) and new resources which challenge the particular idea of a demanding God of atonement that has supported punishment and harsh penal measures (see Pycroft and Bartollas, 2018). Much of this recent work has focused on Paul of Tarsus (St Paul) the architect of Christianity and arguably Western Europe (see Siedentop, 2015) and includes not just philosophy but its relationship with theology, history, anthropology and science. Thus far this area of scholarship has achieved little traction in criminology despite the incontrovertible and ongoing relationship between theology and law in Europe and the USA (see Gorringer, 1996) and the influence of the 'religious right' as part of populist movements that have seen the growing influence of neo-fascist parties in e.g. Hungary, France and Italy (and the influence of Steve Bannon on the election of Donald Trump). The liberal democratic efforts at more containment are clearly failing.

Don Crewe (2019) indicates that no sensible person could see peacemaking as undesirable and his paper is a worthwhile and considered attempt to reinvigorate the conceptual basis of peacemaking criminology from a philosophical contra theological basis i.e. he opts for Athens rather than Jerusalem (or Mecca or Varanasi etc). Notably he seeks to outline a new approach based on the thought of Emanuel Levinas (but nonetheless whose thought was deeply Rabbinical) to structure an understanding of relationship and complicity associated with blame and attributing responsibility. In so doing he seeks to create distance from the 'Wisdom Traditions' associated with peacemaking criminology which are seen as pre-modern, doxastic and therefore unacceptable to modern criminology. In his approach, Crewe covers key and important themes in relation to criminological thinking on blame and responsibility, including; the inter relatedness of causality, structure and agency, emergence, the need for higher order solutions, the relationships between faith and reason, sense-making and phenomenology. In this paper, I will both develop and critique Crewe's approach through a utilisation of Girard's scapegoat thesis within a complex systems analysis to demonstrate the ways in which human motives are both hidden and revealed. To achieve this understanding it will be argued that the lived experience that is expressed as 'myth', both religious and secular is essential 'data', for criminology and that we do not have to choose between the 'rationality' of Athens, and the 'faith wisdom' of Jerusalem or Mecca. This is not casual 'third way thinking' but rather a conscious (phenomenological sense-making) engagement with the relationships between religion and reason at a cultural level to reveal the relationships between violence, faith, forgiveness and the practices of retributive justice in modern democracies. Utilitarian and administrative criminology in the service of state power (including in universities and their educating and training of criminal justice professionals) relies on an unquestioning support for these retributive mechanisms for its funding and status, and therefore any approach to peacemaking will always be marginal to criminology within a capitalist system. I argue that marginality and weak power, rather than being problematic is the key to individual (agent-based) and subsequent social transformation, revealed through radical hermeneutics in both religious and philosophical traditions.

## The Two Cultures debate

It is interesting that Crewe (2019) refers to the 'doxastic' nature of the great wisdom traditions with the implication that in the presence of personal faith questioning becomes unnecessary. This fundamentalism is of course present in all religions as well as the position of the 'new atheism' of Dawkins et al, and also the demand for testable hypotheses and an 'evidence base' for criminology. It is interesting then to locate these arguments within the two cultures debate concerning the relationships and perceived divide between 'science' and the 'arts' which became infamous in the early 1960's. This debate was in itself a further expression of culture wars and the two cities thesis (Civitas Dei and Civitas Mundi) instigated when Tertullian in the 3<sup>rd</sup> Century CE asked the question:

"...what does Jerusalem have to do with Athens, the Church with the Academy, the Christian with the heretic? Our principles come from the Porch of Solomon, who himself taught that the Lord is to be found in simplicity of heart. I have no use for a Stoic or a Platonic or a dialectic (i.e. Aristotelian) Christianity. After Jesus Christ we have no need of speculation, after the Gospel, no need of research. Once we come to believe, we have no desire to believe anything else; for the first article of our faith is that there is nothing else we have to believe" (Prescriptions against Heretics 7 cited by Wolterstorff, 1999:4)

An exploration of the two cultures debate provides us with a useful framework to explore aspirations for human flourishing (economic and cultural) and the development of language for collective action in promoting, ensuring and maintaining that flourishing against the backdrop of human violence, blame and responsibility in Girard's thought. The work of René Girard on mimetic desire and the relationship between violence, sacrifice and social order has revived a two cities thesis of history (see Milband, 2006) and a proclamation of truth (he is in the positivist tradition, contra nihilism or realism but see below) which he argued are revealed initially through reading great literature, but which he realised were already revealed in the Judaeo-Christian mythos.

To provide some historical context for Twentieth Century changes in thought with regard to criminal justice we can use Winston Churchill's often reported statement that:

"The mood and temper of the public in regard to the treatment of crime and criminals is one of the most unfailing tests of the civilisation of any country. A calm and dispassionate recognition of the rights of the accused against the state and even of convicted criminals against the state, a constant heart-searching by all charged with the duty of punishment, a desire and eagerness to rehabilitate in the world of industry of all those who have paid their dues in the hard coinage of punishment, tireless efforts towards the discovery of curative and regenerating processes and an unfaltering faith that there is a treasure, if only you can find it in the heart of every person – these are the symbols which in the treatment of crime and criminals mark and measure the stored up strength of a nation, and are the sign and proof of the living virtue in it." (Hansard, 20<sup>th</sup> July 1910)

Whilst undoubtedly problematic at a number of levels this statement does recognise the importance of economics, science and technology, as well as the language of faith, virtue and social endeavour. Churchill made that statement at the turn of the Twentieth Century but by the 1960's the 'white heat of technology' that was to drive the post war boom saw the ascendancy of science and technology over the arts and humanities. The intellectual world was given notice of this ascendancy when in 1959 Sir Charles Snow delivered the Rede Lecture at Cambridge University entitled "Two Cultures and the Scientific Revolution" in which he argued that it was science and technology that could best meet humanity's fundamental needs. But, he argued, this

goal was being frustrated by the ignorance between the two cultures. He said that scientists had “the future in their bones” whilst literary critics were “natural Luddites.” Snow was seen to speak with some authority as he had been both a research scientist and also a successful author. The lecture promoted a great deal of popular discussion and following his election victory in 1964 the then Prime Minister, Harold Wilson invited Snow to become a Minister in the newly created Ministry of Technology. The term ‘administrative criminology’ was coined by Jock Young to describe positivist research in the British Home Office that was emerging during this period and culminating in Martinson’s ‘nothing works’ research (Martinson, 1974). This new approach was to reduce opportunities for offending, while incarcerating those who did offend. The role of criminologists was to evaluate the effectiveness of those approaches. Young describes these approaches as “A detachment of individuals from the social structure, a denial of history, a loss of meaning; it forgoes transformative politics and concentrates on amelioration and accommodation to the status quo.” (Young, 2012:427).

In 1962 the literary critic and Cambridge Don, F.R Leavis was selected by the students to deliver the Richmond Lecture at Downing College Cambridge, and he used the opportunity to deliver an excoriating attack on Snow, both personally and professionally. Leavis was criticised for bad manners (very un-English!) which drew the focus of attention and unfortunately had the effect of eliding some of the key criticisms that he was making about the two cultures argument (interestingly Richard Dawkins is often also accused of bad manners, which he like Leavis appears to revel in and accept as an accolade).

Bad manners aside, for Leavis creativity is at the core of what it means to be human as expressed in a congruence between reality and thought, with thought only being possible through language. The most advanced use of language was to be found in the great writers who were able to convey rather than simply express feeling:

“Thought’, then, was not a matter of finding words to express independently-existing ideas, but of building upon the living language to forge new ideas. To put it another way, to Leavis thought was an act of *creation* rather than *discovery* – it was the extension of the shared human consciousness embodied in language” (Ortolano, 2005: 7 emphasis retained).

The focus for Leavis is the ways in which the enlightenment reification of science following Newton and Descartes and its reductionism destroys the language of shared human consciousness. Language is now used to describe rather than create, and language itself is seen as problematic e.g. background noise that gets in the way of scientific method and reductive interpretation. Whatever the merits of the arguments between Snow and Leavis, the focus for Leavis was not one of being anti science, but a concern for culture and civilisation as a consequence of reductionist thinking. Reading Leavis the similarity with the quantum physicist David Bohm is striking. Bohm argues (2000) that our world view is based upon a confusion whereby, because we think reductively, we assume that the world is fragmented rather than us seeing the ontological reality of undivided wholeness. The problem becomes one of how we both see and give creative expression to that undivided wholeness that is in flowing movement. Likewise, for Leavis:

“The disease of modern civilisation was the mental distinction between words and things, language and reality, communication and experience...the point to be stressed is that, whatever was gained by the triumph of ‘clarity’, logic and Descartes, the gain was paid for by an immeasurable loss...you can’t subscribe to assumptions implicit in ‘clear’ and ‘logical’ as criteria without cutting yourself off from most important capacities and potentialities of thought which of its nature is essentially heuristic and creative.” (Ortolano, 2005:16).

Clearly there have been massive advances following the Enlightenment and industrial revolutions for the developments of states and societies in creating wealth, living standards, life expectancy and culture for example. However, the Twentieth and Twenty First Centuries, with their two world wars, the Holocaust and genocides, the use of nuclear weapons, the threat of nuclear annihilation, global warming, pollution, massive inequality, entrenched poverty etc demonstrates that progress is not unlimited and comes at a price. For both Leavis and Bohm we are sleep walking away from creativity and into an abyss of our own making. The need for acts of consciousness and the provision of an alternate vision is one that has to move us beyond the closed world of currency values where repeated endorsement confirms the status of self-evident truths (see Collini, 2013) (books, literature, or academic papers are valued on the basis of their best seller, top of the charts, or most cited status). In busy lives we all want and need reductive instrumentalism (maybe it is as Erich Fromm (2001) says a fear of freedom) and prefer (as Allan Bloom argues (1987)) to read summaries and books about books rather than the original books themselves. It is interesting talking to publishers of academic texts who increasingly argue for those texts to be 'accessible' and in 'plain English'. The presumption is that the reader should not have to engage with and do too much work with the text, and thus their own thought.

This fragmentation and loss of thought leads to a loss of mind/soul, and the ability to find a collective language to challenge the failures of modernity. A loss of coherent thought structure can be found in aspects of post modernity and its emphasis on hyper individualism and permanent insecurity (see Hall and Winlow, 2015). If Descartes provides the structure of body, soul, mind and matter, then Kant does the same for agency where freedom is the realm where the subject establishes his own limit and so limits are intrinsic rather than imposed (de Castro Rocha, 2019). This limit is limited further by any communication of the self, being a process of reduction, or rather in giving form to the content of communication we seek to apply judiciously Ockham's razor. In this way, we can remove the superfluous to say clearly, what we have to say and to assert our positions, *res cogitans*. To put this another way Descartes' "I think therefore I am" becomes "I think reductively therefore I am reduced."

### **The relationship between myth and reason**

All communication is a form of reduction, namely something is always lost in the telling, writing, singing. However, in seeking to overcome the reductionism inherent in most forms of communication to enable an embracing of the complex nature of reality then the writer, artist, poet, musician, or dancer have an advantage in communicating acts of consciousness. The art of communication is in what the other apprehends, with the necessity for a certain degree of congruence between the communicator and those they communicate too (transference, intuition and empathy) and vice versa. With Leavis we can look to poesis to provide a human muse that enables a more expansive thought concerning what I take to be our shared (if not sole) interest, namely the purpose and application of criminology to real people and real situations. Poesis, is neglected in criminology in comparison to natural philosophy or ethics but nonetheless allows for the emergence of this paper, the thinking of the thought the written of the writing, the reading of the read. The thingness of this thing is the *ding an sich* (the thing in itself), its haecceity. We are conscious in the world rather than of it (see Pycroft, 2018) and hermeneutical phenomenology unlocks the relationship between myth (histories of collective consciousness) and reason. The inability to apprehend the thing in itself is one of Kant's implicit limits, giving rise to liberalism, *la difference* and ultimately post-modernist post truth, and the 'alternative facts' of Donald Trump and Boris Johnson. Here Crewe is absolutely correct in seeing a corrective in the non-totalising philosophy of Levinas, in that we always have to consider the relationships between part and the whole (see Pycroft and Bartollas, 2014) and the necessity of the quality of my relationship with the other, whereby the other becomes the transcendent I. For Levinas and for Crewe a process of

kenosis (emptying of self) erases my ego for which I alone am responsible. This is the command that the other brings and an obligation that I cannot resist. However, time may be an illusion, but events are real, and the risk of this approach is essentially the same as the new synthesis of Hegelian-Marxist dialectics, where events are forgotten in a new totalising whole (or hole, a black hole where all information if not destroyed is beyond the event horizon). With respect to transgression, calling to account (blame) and making good, there needs to be a confrontation with events, with the real, rather than the imaginary or the symbolic (in the Lacanian sense of these concepts). John Milbank (2006:395) argues that in the Judaeo-Christian tradition:

Just as the act of creation takes nothing away from God, so also our self-giving involves no real self-loss, but it is rather a new reception of being, which consists fundamentally in orientation to the Other.

It is this confrontation with events, expressed as history and what to do about it that is part of the crisis of the criminal justice system. The writer and philosopher Jean Améry, a Jewish survivor of the Holocaust is very clear on this (1980) need to be heard and for a calling to account. But as Primo Levi (1986) recalls the unexpected ordinariness of the enemy you meet is disconcerting (I suppose this is what Hannah Arendt meant by the banality of evil (2006) and is challenging to make sense of (Arendt's work based on the trial of Adolph Eichman was highly criticised for seeing the horrors of the holocaust as banal). This, then is a problem of how I phenomenologically apprehend the other, within the context of personal history, as I always come between myself and that which I perceive/apprehend. Levinas sees this as a problem of solipsism and he is correct, but Girard's great insight (1978) is that the other becomes the model for my desire and thus a source of competition and escalation to violence. My own complicity in that violence is invisible to me, as (is) my desire for what the other has based upon a blaming and holding to account of the other (as scapegoat) for which I feel fully justified. But the other's violence (and desire for what I have) is likewise invisible to themselves. A genuine intersubjectivity then has to accept complicity in violence to which we are all prone<sup>1</sup>, and as Crewe (2019) indicates in quoting Richard Quinney (1991), this is at the heart of criminology as peacemaking. In this complicity we cannot apprehend Levinas' ethics as first philosophy, we are deaf, dumb and blind, to everything except our own desire reflected in the face of the other.

The corrective to these realities is to be found in revisiting myth and interpreting those myths (including religious myth) in the light of modern scholarship (which is what restorative justice has sought to do, through looking to aboriginal sources for Justice). It is Nietzsche, the great philosopher of revenge who reboots myth now that God was dead. It would, however, be a mistake to think that Nietzsche's alternative myth does away with metaphysics and provides an ethic concerned with flesh and blood of the 'here and now.' The will to power of the ubermensch (the man who can reach over and above himself) sees Nietzsche soar to achieve nothing more than the instigation of a new metaphysical aristocracy, always at the expense of the untermensch (the term made infamous by the Nazis and which refers to the less than human). But, what the thought of Nietzsche revealed to Girard was that in the argument that Christianity was nothing but a slave mentality, a form of revenge against the strong then there was a kernel of truth in what Nietzsche argued. What Girard saw was that in the Judaeo-Christian tradition, uniquely, the collected mythos was written from the perspective of the innocent victim who had been religiously sacrificed (scapegoated) to resolve some kind of crisis. For Girard myth always contains an element of truth that reveals that real people have experienced real violence. In his psycho-analytically informed argument that scapegoating should not be seen as a conscious activity based on a conscious choice, Girard argues that the process is effective precisely because there is an element of delusion to which we are all susceptible. This means that all of us can condemn examples of scapegoating yet none of us can identify our own involvement in it. This is an example of what

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<sup>1</sup> This is a difficult argument and to be clear the issue is not one of the innocence or complicity/guilt of the victim, but how we prevent the perpetuation of cycles of violence

Girard identifies as *méconnaissance* which in the French can relate to a mistake, false information, illusion, misrecognition or mis-cognition, but for which there is no adequate and single definition in the English language.

Girard (1978) argues that religion evolves precisely to contain violence in societies thus bringing about social order and culture (and is indebted to Durkheim, Freud and Frazer in this work). This is necessary because of the reality of mimetic rivalry which culminates in the war of all against all (and countering the 'romantic lie' that people are essentially good), and an escalation to extremes. In times of crisis a scapegoat (usually an outsider on the basis of gender, race, and ability) is randomly chosen to be excluded or killed. The sacrifice appears to resolve the crisis and period of peace commences, so much so that that the person sacrificed appears to have magical powers and is often deified. This victimage mechanism is institutionalised in religions. In the Judaeo-Christian tradition Leviticus 16 states that on the Day of Atonement, a number of sacrifices are required to make atonement by the High Priest. Firstly, he has to sacrifice a bull for his own sin and to make expiation for himself and his family. This is an explicit statement that the High Priest is not above the religious law and that he is complicit in sin and must be ritually purified before carrying out the actions on behalf of the community. The community will then provide two identical he-goats, and lots will be drawn to determine which goat will be offered as a sacrifice for sin, and which will be driven out into the desert carrying the sins of the community (the scapegoat intended for Azazel). The term Azazel is used to indicate both a demon, and a rocky, barren desert both of which are beyond the mercy of God.

Uniquely, the Christian gospels are written from the perspective of the innocent victims who are the scapegoats sacrificed to resolve a political and religious crisis in Jerusalem (the trial and execution of Jesus of Nazareth) and the events following that execution (the repression of his disciples and the religious stoning to death of Stephen). But also, the other key figure is Saul (Paul) of Tarsus a Pharisee who was complicit in the latter execution but following a conversion experience based on unconditional forgiveness becomes the architect of Christianity as Apostle to the Gentiles (see Pycroft in press). In these accounts of violence both Jesus and Stephen forgive their persecutors and refuse to use violence (either from themselves or God) to change their situation. Saul both witnesses<sup>2</sup> (at the execution of Stephen) and experiences (in his conversion and new life) this forgiveness and it thus able to realise their innocence. From this it follows that Christianity is not a religion but an organising principle that deconstructs the archaic religious and the sacred sacrificial. It demonstrates that violence always comes from people and not from God, and that God reveals to us our own violence as the cause of apocalypse (genocide, global warming, poverty etc). We punish ourselves through our own blindness. Reductionist sacrifice is at best an interim and anthropic trade off in an entropic universe of our own imagining. This in the words of Jesus is "Satan casting out Satan" (see Pycroft forthcoming). The revelation of the scapegoat mechanism leads to a process of disenchantment with religion (it no longer works), and consequently Girard argues (1999) we are more concerned with the victim than at any other time in human history. Luther was correct in seeing individuals as neither good nor bad but as both (*simul Justus et peccator*) and our *méconnaissance* coupled with a reductionist mindset means that we have difficulty maintaining this reality. We tend to get shifting and alternate views of one or the other (Žižek (2006) describes this as a parallax view), good or bad rather than holding them in superposition (to borrow a phrase from quantum mechanics – see Pycroft, 2014). For Girard, controversially the solution, is *imitatio Dei* and more Christianity not less. He argues that through understanding Jesus' modeling of God's aseity (see below) that we can be freed from our own violence.

This is contra the act of (bad) faith in the modern penitentiary where a narrowly focused cognitivism and behaviourism hopes (*sic*) for a pure truth event *ex nihilo* based on deprivation which will lead (magically) to a 'pro social' life for its inmates. Within this argument it is through

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<sup>2</sup> Saul was also a student of Gamaliel one of the leading Pharisees of his day and who was present at the trial of Jesus of Nazareth. It is interesting to think of Gamaliel recounting those events to Saul and the way in which Jesus adopted non-violence in response to the accusations. Perhaps he remembered this post Stephen as it seems to have been a turning point for him.

méconnaissance that the self-organising and self-regulating process of violence that is foundational to the origins of human culture and institutions remains hidden or at least partially revealed as a double bind. Girard argues that Christian revelation lifts the veil of méconnaissance so that we now understand the innocence of the scapegoat, whose presumed guilt and our 'justified' anger against it has protected us from our own violence. The consequences of this knowledge are that the scapegoating mechanism and the institutions that are built upon it become less effective and leaving us with the problem of how to deal with mimetic crises and our own individual and collective need for vengeance against the other. A reduction in méconnaissance, then invites a new perspective on the innocence of scapegoats and our own complicity in violence which can instigate a new space of possibility. As is argued by Dumouchel (2011: 105):

“...the revelation that is necessary in order to make unanimous victimage impossible is something that will help dissolve individual méconnaissance, something that will make less likely both the actions and representations that come with it. This...is not so much the revelation of the innocence of the victim, as the revelation of the innocence of the other, which is not so much the revelation of the 'sanctity' of the other, as the revelation of his or her radical and fragile humanity. What destroys this méconnaissance is not a belief, a propositional content, but new attitudes like forgiveness and charity extended to all.”

### Weak thought

Other than an argument for the need for *imitatio Dei*, Girard does not provide an alternative vision (I assume that he thought that the Church was that vision, but nonetheless I am not aware that he applied his hermeneutic of suspicion to the actions of the church itself). His unconcealment of the scapegoat and the proclaiming of forgiveness and charity as expressed in Christianity reveals the Judaeo-Christian gospel as one of radical equality before God and people, (so much so that Slavoj Žižek (2009) argues for St Paul as the first Marxist-Leninist). The alternative then, and its application to peacemaking requires further explication.

The phenomenology of Girard and also of Heidegger are read by Vattimo and Zabala (2011) as an interpretation of the meaning of history being one of emancipation from violence. Further, Vattimo sees Heidegger's work as revealing the same victimary mechanism that Girard highlights in Judaeo-Christian scriptures. Both are based on a forgetting e.g. of the founding murder as the ontological reality of all societies (Girard) or identifying beings with objectivity and metaphysics (Heidegger<sup>3</sup>). Through utilising both Girard and Heidegger, Vattimo and Zabala reappraise Christianity to realise that faith in Christ is faith in the weakening of strong structures, namely those that underpin metaphysics (see Harris, 2019). Through weak thought they are seeking to create a postmodern (rather than normative) ethic of weakness through understanding and re-configuring traces and elements from historical thought in accord with postmodern conditions. The question for us, is one of whether historical details matter in respect of e.g. crime, or whether the claims of causality are simply a normative (metaphysical) and descriptive (positivist) retro-engineering of the present to reductively make sense of irruptions that constitute events? This causality post Descartes separates structure and agency creating a space that too readily becomes the place of violence, the natural sacred, or the sacred sacrificial that seeks to maintain our totalising explanation of what, why and how. Strength is variously claimed from both history (expressed as conservatism) and the future (expressed as the revolutionary) and for both the present is expunged by being interpreted through the lens of time – retribution demands punishment for the crime,

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<sup>3</sup> In respect of Heidegger this becomes particularly problematic as subsequent evidence demonstrated that he was a committed National Socialist (see Mitchell and Trawney, 2017). This raises a whole raft of questions about utilising his philosophy. This has created heated debate especially in France. Things cannot be unthought and history cannot be changed but they can continue to be unconcealed.

rehabilitation demands a new future for criminals. However, the gospel *imitatio Dei*, expressed in the temple theology of the Book of Revelation (also of course known as the Book of the Apocalypse) is one of immanence, where there is no disjunction of structure, agency and time, where Heaven and Earth literally meet (see Barker, 2002). An appreciation of this dynamic and its application to anthropic responsibility rather than an abdication to metaphysical judgement (see Pycroft, in press) requires a sense making of the aseity of a God without being (Marion, 2012). Millbank (2006) argues that this Gospel is completely distinct from self-assertion, rivalry and the subtracting of something from others. This subtraction through the demand for sacrifice and carnivals of atrocity (see Miller, 1990) is continued in the criminal justice system as the space of the archaic, and sacred sacrificial (see Pycroft and Bartollas, forthcoming). We need then to understand not just the theory but the practice of bearing each other's burdens, as our primary choice, rather than our choice being one of condemnation.

The Christian Churches' own historical will to power and the implications for criminal justice are outlined by Gorringer (1996) and Pycroft and Bartollas (2018) focussing on arguments for the nature of atonement and the necessity of the death of Jesus to satisfy the demands of an angry and demanding God (satisfaction theory). This scholastic view of natural law which developed from Anselm and Aquinas whereby every sin and crime had to be punished was influenced by the 'rediscovery' of Greek thought via the Islamic scholars Ibn Sīnā (Latinised to Avicenna) and Ibn Rusd (Latinised to Averroes). The medieval scholastic Christian philosophers were indebted to them for their translations of Aristotle. The philosophy of Aristotle and its elitist purity may have provided a rational framework for interpreting theology, but its consequences were to make the love of God and neighbour conditional with the effect of reintroducing and justifying the necessity of punishment linked to the sacred sacrificial. As Gorringer argues "the gift of grace expressed in the Pauline letters, and the cross of Christ is not a justification of punishment but a heralding of its end" (1996: 269).

For Marion (2012), God is beyond being and is absolutely free in all determinations and the failure of metaphysics is precisely to ascribe categories of being to Him. He argues that Nietzsche not only reveals the death of the metaphysical God, but under her various conceptual names metaphysical idols are imposed on a God who has yet to be encountered. Marion is then arguing for the death of a certain kind of God, namely the God of punishment who has become the idol of the criminal justice system in all its justifications. The two cultures are therefore intact. Marion, then calls God by the most theological of names 'Charity' with the revelation of agape within it and in his thought being removed from aspects of human destiny, belonging neither to pre-, post- nor modernity. This is the irruption of grace (e.g. Paul does not talk about forgiveness, but rather the gift of grace to undeserving people – see Bash, 2015) and is what I take to be affirmation and to be found in the totality of the situation (see Pycroft and Bartollas, forthcoming). This affirmation is:

...made actual for each of us precisely in the totality of the situation – material, psychological, moral and spiritual combined – in which we find ourselves at each single moment of our conscious life (Butler, 1981)

This is also what Michael DeValve (2015) calls a love and healing that transforms rather than is controlling and having power over others. It is a love that never ceases giving and enables the challenging of the power/fear paradigm. This position is weak and always marginal relying on ground up and local initiatives that cannot be created by top down control mechanisms. In this context the individual becomes an agent of change connected to their wider context (change is *ex materia* rather than *ex nihilo*) and open to possibilities of being that do not require that the other becomes the model (competitor) for my desires.

At the heart of this argument is the difference between *aseity* and *ab alio*. In the Christian doctrine of the Holy Trinity (Father, Son and Holy Spirit) each is the model for the other and where there is no competition and rivalry, giving entirely of the self to the other without loss of identity, meaning or purpose. Identity, meaning and purpose are endlessly created anew. It is only through acknowledging the necessity of the existence of a God without being, that we do not create her in our own image by ascribing metaphysical characteristics and Marion (2012) argues that God needs to be released from this onto-theology. A consequence of this metaphysic following Anselm through Aquinas is that in responding to evil then revenge is seen as the only remedy, with:

The height of evil (consisting) in perpetuating evil with the intent of suppressing suffering, in rendering others guilty in order to guarantee one's own innocence. For the more I want to assure my innocence – as is quite natural! – the more I discharge my sufferings and my responsibilities on someone else, in short the more I engulf him in evil (Marion, 2002:8)

## Conclusion

Don Crewe's appeal to Athens rather than Jerusalem (and/or other faith centres) to develop a rational argument for intersubjectivity as a basis for conflict reduction and peacemaking, and in the process to make these subject matters more amenable to 'mainstream' criminology, raises some interesting questions which I have tried to address in this paper. I entirely agree with Crewe that intersubjectivity and overcoming the Cartesian structure/agency divide are central to this question and that we now have resources on a number of fronts to address these questions which are being applied to criminology. These resources in addressing the relationship between consciousness and matter in complexity theory and quantum mechanics (see Milovanovic, 2014; Pycroft, 2018) bring together the two cultures. In this developing work the use of postmodern philosophies have become important to address the dynamic, complex and fluid nature of reality and which seeks to address the ethics of human relationships with respect to crime, its context and aftermath but with competing visions of human flourishing. Unexpectedly, despite the death of God, religion has re-emerged as a key locus of enquiry and once again we find ourselves between Athens and Jerusalem. It is argued by Jean-Luc Marion (2012) that in examining the relationship between philosophical nihilism and the demanding openings of Christian revelation that at times the discourse comes together so closely that the antagonists appear to have a common course. I agree with this position (I don't think in reality mine and Don Crewe's arguments are far apart) and that a hermeneutic of suspicion reveals the failures of metaphysics, but that in developing a hermeneutic of affirmation we need to go beyond Holy Saturday (which is as far as Slavoj Žižek will go in this thought (2011)) to Easter Sunday. We have the diagnosis, so how do we address the problem? Clearly the use of modern and rational perspectives to interpret religious myth requires a theology (Jerusalem, Mecca, and Varanasi etc), and all cultures and societies have founding myths. In my own work I have been working with theologians to develop research projects on forgiveness and religious literacy (the use of religious language for civic purposes) which is often a part of the problem as well as the solution (e.g. conflict and post conflict in Northern Ireland). This will always be marginal work, precisely because intersubjectivity is by its nature unpredictable; peace, love, healing and forgiveness are non-linear and will always frustrate 'scientists' and do not win votes for politicians. However, I can talk about my own violence to you, and explain it through the language of Athens and Jerusalem, and I am open to listening to you about yours, whatever language or framework you want to use, and this might just be the beginning of a dialogue (perhaps we can invite others, including some non-criminologists too?). Is this not what peacemaking really is?

## References

- Améry, J (1999) *At the Mind's Limits*. London. Granta
- Arendt, H (2006) *Eichmann in Jerusalem*. London. Penguin Books
- Barker, M. (2004) *The Great High Priest: The Temple Roots of Christian Liturgy*. London. T&T Clark
- Bash, A (2015) *Forgiveness: A theology*. Eugene OR. Cascade Books
- Bloom, A. (1988) *The Closing of the American Mind*. New York. Simon and Schuster
- Bohm, D (2000) *Wholeness and the Implicate Order*. London. Routledge
- Butler, B. (1981) 'Foreword' in J.P. de Caussade *The Sacrament of the Present Moment: 7-8*
- Calhoun, C., Mendieta, E., and VanAntwerpen, J. (2013) (eds) *Habermas and Religion*. London. Polity Books
- Camus, A. (2000) *The Rebel*. London. Penguin Books
- Collini, S. (2013) 'Leavis V Snow: The two-cultures bust up 50 years on' in *The Guardian* 16<sup>th</sup> August
- Crewe, D. (2019) 'Blame, Responsibility and Peacemaking' in *Journal of Theoretical and Philosophical Criminology* Vol 11(1): 1-17
- Dawkins, R. (2007) *The God Delusion*. London. Bantam Books
- de Castro Rocha, J, C. (2019) *Shakespearean Cultures: Latin America and the Challenges of Mimesis in Non-Hegemonic Circumstances*. East Lansing. Michigan State University
- DeValve, M. (2015) *A Different Justice: Love and the future of criminal justice*. Durham. Carolina Academic Press
- Dumouchel, P. (2011) 'De la méconnaissance' in *Lebenswelt* 1: 97-111
- Fromm, E. (2001) *The Fear of Freedom*. Basingstoke. Routledge
- Girard, R. (1978) *Thing Hidden since the Foundation of the World*. Paris. Grasset and Fasquelle
- Girard, R. (1999) *I see Satan Fall like Lightning*. Leominster. Gracewing
- Gorringe, T. (1996) *God's Just Vengeance*. Cambridge. Cambridge University Press
- Hall, S. and Winlow, S. (2015) *Revitalizing Criminological Theory: Towards a New Ultra-Realism*. London. Routledge
- Harris, M. (2019) 'Gianni Vattimo' *Internet Encyclopaedia of Philosophy*
- Kearney, R. (2010) *Anatheism: Returning to God after God*. New York. Columbia University Press
- Marion, J, L. (2002) *Prolegomena to Charity*. New York. Fordham University Press
- Marion, J, L. (2012) *God without Being*. London. University of Chicago Press
- Martinson, R. (1974) 'What works? Questions and answers about prison reform' in *The Public Interest* 35: 22
- Milbank, J. (2006) (2nd ed.) *Theology and Social Theory: Beyond Secular Reason*. Oxford. Blackwell

- Miller, J. (1990) 'Carnivals of atrocity' *Political Theory* 18(3) 470-491
- Milovanovic, D (2014) *Quantum Holographic Criminology: Paradigm shift in Criminology Law and Transformative Justice*. Durham. Carolina Academic Press
- Milovanovic, D. (2019) *Postmodern Criminology*. Basingstoke. Routledge
- Mitchell, A. and Trawny, P. (eds) (2017) *Heidegger's Black Notebooks: Responses to Anti-Semitism*. Columbia. Columbia University Press
- Ortolano, G. (2005) 'F.R. Leavis, Science and the Abiding Crisis of Modern Civilization' in *Hist.Sci* xliii: 1-25
- Pycroft, A. and Bartollas, C. (2014) *Applying Complexity Theory: Whole systems approaches to criminal justice and social work*. Bristol. Policy Press
- Pycroft, A. and Bartollas, C. (2018) 'Forgiveness as Potentiality in Criminal Justice' in *Critical Criminology* 26: 233-249
- Pycroft, A. (2018) 'Consciousness in rather than of: Advancing modest claims for the development of phenomenologically informed approaches to complexity theory in criminology' in *Journal of Theoretical and Philosophical Criminology* 10: 1-20
- Pycroft, A. (2020 in press) 'St Paul amongst the Criminologists' in Millie, A. (ed) *Public Theology and Criminology: On Mercy, Hope and Restoration*. Bristol. Bristol University Press
- Pycroft, A. and Bartollas, C. (forthcoming) *Redemptive Criminology*. Bristol. Bristol University Press
- Quinney, R. (1991). 'The way of peace: on crime, suffering and service' In H. Pepinsky & R. Quinney (Eds.), *Criminology as peacemaking* (pp. 3-13). Bloomington, Ind.: Indiana University Press.
- Siedentop, L. (2015) *Inventing the Individual: The Origins of Western Liberalism*. St Ives. Penguin Books
- Wolterstorff, N. (1994) 'Tertullian's Enduring Question' in *The Cresset Trinity Special Issue Lilly Fellows Program in Humanities and Arts*: 5-17
- Vattimo, G and Zabala, S (2011) *Hermeneutic Communism: From Heidegger to Marx*. New York. Columbia University Press
- Young, J. (2012) *The Criminological Imagination*. Cambridge. Polity
- Žižek, S. (2009) *The Parallax View*. Massachusetts. Massachusetts Institute of Technology
- Žižek, S. (2011) 'The fear of four words: a modest plea for the Hegelian reading of Christianity' in Davis, C (ed) *The Monstrosity of Christ: Paradox of Dialectic*. Cambridge. MIT Press: 24-109