

The Abolishment of Retribution in the Church Fathers

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I have argued elsewhere that the Church Fathers' understanding of the atonement was rooted in a model of restorative justice, rather than retributive justice.¹ Recently, Garry Williams has written a rebuttal of my article, entitled 'Penal Substitution and the Church Fathers' that argues the opposite point.² While both of our respective articles are focused on the patristic views of the atonement, there is a larger issue at stake which touches on the very core of our faith:

At stake here is not simply what the early church believed, but how we are to understand God's justice, what the cross means, and how we are to be ambassadors of the crucified one. Is God's justice ultimately retributive or restorative? Does the cross model God's demand for retribution and violence, or does it model God's act of nonviolent restorative justice? Our answers to these questions—whether we see divine justice as retributive or restorative—will naturally have profound ethical consequences, because the model of justice that we see in God will necessarily shape how we apply 'justice' in our world as well. Will we advocate for punitive violence in the name God? Or will we see the way of Christ calling us to towards a restorative model of justice?

Advocates of penal substitution explain the cross in terms of the need for the demands of (retributive) justice being 'fulfilled' and 'satisfied' by the death of Jesus. This is a focus on the fulfillment of retributive justice. In contrast, the Fathers constantly speak in terms of the law and curse being 'abolished' and 'destroyed' by Christ. Athanasius writes that because of Christ's death, 'death and corruption were destroyed'³ Gregory of Nazianzus similarly speaks of Christ 'destroying the whole condemnation of sin.'⁴ Augustine declares that, as a result of the atonement, 'death was condemned so that it would not reign, and cursed in order that it might perish' for 'Christ took on our punishment without guilt so that he might in that way destroy our guilt, and also end our punishment'.⁵ This is a focus on our restoration (restorative justice) through the 'destruction' and 'abolishment' of retribution.

Now, if you can only conceive of justice as retributive then to abolish retribution is to abolish justice. So how did the Fathers understand the fulfillment of justice if not through retributive punishment? Why is it that the Fathers focused so much on this theme of the 'abolishment' and 'destruction' of curse and death? What implications might this idea of the admonishment of retribution have for us—not only in how we understand God's action in Christ, but in how enact justice today in our world? With these questions in mind we'll focus on two Fathers: Athanasius and Augustine.

- 1 Derek Flood, 'Substitutionary atonement and the Church Fathers: A reply to the authors of Pierced for Our Transgressions', *EQ* 82.2 (2010), 142–159. Available online at <http://therebelgod.com/AtonementFathersEQ.pdf>.
- 2 Garry Williams, 'Penal substitutionary atonement and the Church Fathers', *EQ* 83.3 (2011), 195–216. Available online at http://www.ltslondon.org/joc/documents/EQGJWChurchFathersarticle_000.pdf.
- 3 Athanasius, *De Incarnatione*, ch. 2, Robert W, Thompson (Tr.), *Contra Gentes and De Incarnatione* (Oxford: Clarendon Press, 1971) 185.
- 4 Gregory of Nazianzus, *Oration* 40.45, Nonna Verna Harrison (Tr.) Festal Orations (Crestwood, N.Y.: St. Vladimir's Press, 2008)141.
- 5 Augustine, *Contra Faustum*, 14.3–4, Roland Teske (Tr.) Boniface Ramsey (Ed.), *The Works of Saint Augustine, 1/20 Answer to Faustus, a Manichean* (Hyde Park, N.Y. : New City Press, 2007) 176–7.

Athanasius: The Divine Dilemma

In the fourth chapter of *De Incarnatione*. Athanasius outlines the problem of the atonement as he sees it—the divine dilemma. Athanasius tells us that God had created humanity for life, but humanity has turned to sin, and as a result had come under the domain of corruption and death. He writes, ‘they received the condemnation of death which had been previously threatened, and no longer remained as they had been created, but as they had devised, were ruined, and death overcame them and reigned over them.’⁶ Here we can see two ideas commonly held in tension by the Church Fathers: On the one hand is the idea of God’s righteous judgement, and alongside it is the idea that because of that judgment we are now in Satan’s grip, God’s enemy: ‘death overcame them and reigned over them.’

This imagery of demonic bondage may seem odd to modern readers, but behind it is an ethical dilemma: On the one hand is the idea of human culpability and moral responsibility, ‘Men turning away ... were themselves the cause of the corruption and death.’⁷ And on the other hand we have the dilemma that God’s very work is being ‘undone’ by death and the devil. In other words, while death may be the natural consequence of human sinfulness, this is intolerable to a loving God who has created us for life.

Athanasius declares that ‘the work created by God was perishing’.⁸ An event which he describes using two Greek words which he returns to repeatedly in order to capture the two aspects of this dilemma: ἄτοπος meaning ‘out of place’ in the sense of being *wrong, bad, absurd*, and ἀπρεπής meaning *unseemly, indecent, offensive, disgraceful*. On the one hand he says it would be wrong (ἄτοπον) for God to simply overlook our sin, and ignore the threat of punishment in his law.⁹ On the other hand however, he says that it would be *unseemly, indecent, offensive, disgraceful* (ἀπρεπές) for God’s own work to be undone, ‘it would have been *especially improper* (ἀπρεπεστάτων) that the handiwork of God in mankind should come to nought, either through their neglect, or through the deceit of demons.’¹⁰

A more modern rendering of ἀπρεπεστάτων (which is the superlative of ἀπρεπές) might be to say that it would have been ‘*obscene*’. In other words, this is a situation that is simply intolerable for a loving God to bear. This Athanasius sees as a matter of God’s goodness and character. It was ‘not right’, Athanasius writes, for God to allow this to happen ‘because this was neither proper nor fitting of the goodness of God.’¹¹ A more literal translation of ‘neither proper nor fitting’ here would be to say that this would have been ‘disgraceful and unworthy’ (ἀπρεπές καὶ ἀνάξιον) of God’s goodness.¹² This captures the emotional impact of the dilemma in God’s heart that Athanasius is painting for us here. Similarly, ἄτοπος can also be translated as *disgusting, unnatural, foul, monstrous* which again draws out its emotional impact. We have a picture of good God caught between two bad options—one *monstrous* and the other *obscene*, one *wrong* and the other *disgraceful*. In short, either of these two options is utterly intolerable to God. Something has gone horribly wrong. ‘What should God, who is good, have done?’ he asks us.¹³ God for Athanasius is not primarily concerned with being right, but with being loving.

6 Athanasius, *De Incarnatione*, ch. 4, 143.

7 Athanasius, *De Incarnatione*, ch. 5, 145.

8 Athanasius, *De Incarnatione*, ch. 6, 147.

9 Athanasius, *De Incarnatione*, ch. 6, 147. Throughout, the Greek is listed on the opposing page, here at 6.8, 146.

10 Athanasius, *De Incarnatione*, ch. 6, 149.

11 Athanasius, *De Incarnatione*, ch. 6, 149

12 Greek at 6.31, 148.

13 Athanasius, *De Incarnatione*, ch. 6, 149.

One solution that Athanasius deems insufficient is simple repentance. He writes, ‘If, therefore, there had been only sin and not its consequence of corruption, repentance would have been very well.’¹⁴ Notice that he does not say that punishment was needed. If that was the only issue then repentance would have been fine he tells us. But transgression is not the real problem. The real problem is the sickness of our soul which requires real healing. Repentance changes our behavior, but it does not change our ‘nature’ he argues.¹⁵ In other words, it does not address the issue of corruption—that we wither and die. What we truly need is vivification, new life, rebirth. What was needed is not punishment because punishment does not renew, it does not make whole. No, what was needed, Athanasius tells us, was for God to ‘bring what was corruptible back again to incorruption’.¹⁶ In a word: it’s about *recreation* (ἀνακτίσαι).¹⁷ The dilemma is not how we can make an angry God loving through appeasement, but how a loving God can make us good again.

It is at this point that we come to God’s solution of the divine dilemma. Here we see a dual pattern: ‘And *two things* occurred simultaneously in a miraculous manner: the death of all was *fulfilled* in the Lord’s body, and also death and corruption were *destroyed* because of the word who was in it.’¹⁸ The first of these ‘two things’ is the legal payment of debt via penal death, and second, we have the destruction and overthrow of death via the resurrection. Here we need to keep in mind the narrative context of the divine dilemma that Athanasius has set up: It would be *wrong* (ἄτοπον) for God to not keep his obligation to his law, but it would be *disgraceful and unworthy* (ἀπρεπὲς καὶ ἀνάξιον) for a good and loving God to allow his own creation to be undone. So in a brilliant single move God fulfills the legal obligation, and at the same time ‘destroys’ the entire system of death and corruption.

This is a theme that we see throughout the Church Fathers: the cross of Christ becomes the great reversal that catches the Accuser in his own trap. It is the ‘fishhook’ that snares Satan, or as Augustine calls it, the ‘devil’s mousetrap’. In the picture Athanasius paints, God is obliged to the demands of retributive justice, like a father reluctantly obliged to turn over his child to debtors prison. It is portrayed as a tragedy, not something the Father needs in order to be ‘satisfied’ or appeased. The focus—in Athanasius, as in the majority of the Church Fathers—is in showing how God out-smarts and turns the tables on the devil. Implicit here is a move away from the system of retribution, and towards a system of grace, enemy love, and restoration. This is the divine narrative that Athanasius lays out for us of grace overcoming the system of death. For Athanasius the obligation to punish is a horrible dilemma that God needs to find a way through. To read Athanasius as a treatise for retribution is a bit like seeing a Broadway showing of *Les Misérables*, and cheering for Javert. It completely misses the central plot-line of grace triumphing over death and curse that the Church Fathers delighted in.

Note also that while advocates of penal substitution like Williams may wish to claim that ‘death was abolished by the debt being paid’ for Athanasius.¹⁹ In fact, what Athanasius actually says is that death is abolished because the indwelling of the Word, which remained incorruptible, overpowered death through the resurrection: ‘Because of the word who was dwelling in it, it might remain incorruptible, and so corruption might cease from all men by the grace of the resurrection.’²⁰ Because of the indwelling life of God, death is conquered and ended. Christ thus fulfills humanity’s legal obligation to death, and at the same time, turns the tables and annihilates death itself. Death is abolished by the resurrection, not by punishment. We are not released from the debt of law by Christ’s

14 Athanasius, *De Incarnatione*, ch. 7, 151.

15 ‘Repentance gives no exemption from the consequences of nature, but merely loosens sins.’ Athanasius, *De Incarnatione*, ch. 7, 151.

16 Athanasius, *De Incarnatione*, ch. 7, 151.

17 Greek at 7.21, 150.

18 Athanasius, *De Incarnatione*, ch. 20, 185.

19 Williams, ‘Fathers’, 208.

20 Athanasius, *De Incarnatione*, ch. 9, 155.

substitutionary death, but by the bringing of life and incorruption. The re-creation of humanity into the image of God—which for Athanasius is the pivotal moment of the atonement—comes though Christ abolishing and destroying death by his divine life indwelling us, i.e., *by the incarnation* (hence the title of his entire work!). Thus he writes, ‘Through the coming of the Word into it, it was no longer corruptible according to its nature, but *because of the Word who was dwelling in it*, became immune from corruption.’²¹ Death and corruption are overcome and vanquished by God’s *life* indwelling in ours, not by his death. The mechanism of the atonement here is not appeasement. Indeed appeasement plays no role whatsoever since God is already acting in love towards humanity. Rather, the mechanism that is truly the focus of Athanasius’ understanding of the atonement is *recreation through incarnation*.

The abolition of death:

A trajectory of restoration triumphing over retribution

Now, Williams concedes that the law of retribution is abolished, but wants to argue that this means ‘death is abolished by being fulfilled’ through retributive punishment.²² In other words, he is actually not agreeing at all, nor is he using ‘abolished’ in any normal sense of the word. What he is instead saying is something akin to a bill collector who declares ‘Sir, we have reviewed your account, and are willing to cancel your debt... provided you pay it in full!’ In support of his position, Williams quotes Athanasius’ statement that ‘it would have been absurd for the law to be dissolved (λυθῆναι) before it was fulfilled (πληρωθῆναι from πληρόω meaning ‘completed’).²³ The verb translated here as ‘dissolved’ here is λύω, and is translated two other times as ‘abolished’, in both cases referring specifically to the law as well: He states that Christ died so that ‘the law concerning corruption in men might be *abolished* (λυθῆ) —since its power was concluded (πληρωθείσης from πληρόω) in the Lord’s body and it would never again have influence over men who are like him’²⁴ and that ‘The corruption of men would not be abolished (λυθείη) in any other way except by everyone dying.’²⁵ In each case Williams reads λύω as meaning ‘released’ in the sense of being fulfilled, rather than ‘abolished’ in the sense of being destroyed and made void.

Athanasius consistently uses the word λύω to refer to God’s law, and Williams’ reading is indeed a plausible translation of this word here in that context. The leap Williams makes is in concluding that we should understand the idea of the ‘abolishment’ of death in Athanasius in this same way. So long as we only read the text in English this argument might seem to hold up. However, if we look at the Greek we find that Athanasius uses a number of other Greek words which make this reading completely untenable when referring to the abolishment and destruction of death and corruption:

For example, while Williams claims that ‘death was abolished by the debt being paid’,²⁶ Athanasius in contrast states in this same section (chapters 8 and 9) that Christ ‘immediately *abolished* (ἠφάνιζε) death’²⁷, and again that ‘the corruption of death, which formally had power over them has been *destroyed* (ἠφάνισται)’²⁸. Later, he speaks of how Christ ‘*rid us* of death (ἠφάνιζε) and renewed us’²⁹ and declares that ‘corruption has ceased and been *destroyed* (ἠφανιζομένης) by the grace of the

21 Athanasius, *De Incarnatione*, ch. 20, 184–5.

22 Williams, ‘Fathers’, 208.

23 Athanasius, *De Incarnatione*, ch. 8, 151. Greek at 8.9, 150. Quoted in Williams, ‘Fathers’, 207.

24 Athanasius, *De Incarnatione*, ch. 8, 153. Greek at 8.29–30, 152.

25 Athanasius, *De Incarnatione*, ch. 9, 153. Greek at 9.1, 152.

26 Williams, ‘Fathers’, 208.

27 Athanasius, *De Incarnatione*, ch. 9, 155. Greek at 9.9, 154.

28 Athanasius, *De Incarnatione*, ch. 9, 155. Greek at 9.25, 154.

29 Athanasius, *De Incarnatione*, ch. 16, 173. Greek at 9.25, 154.

resurrection³⁰ In each case the verb—variously translated here as ‘abolished’, ‘destroyed’ and ‘get rid of’—is the same: ἀφανίζω which literally means ‘to cause to disappear’ i.e. to erase, annihilate, destroy. This is the word Jesus uses when he says ‘Do not store up for yourselves treasures on earth, where moths and vermin *destroy*’ (Mt 6:19). Elsewhere in the New Testament, ἀφανίζω is variously translated as ‘disfigure’ (Mt 6:16), ‘vanish’ (Jas 4:14), and ‘cease to exist’ (Acts 13:41).³¹

It is hard to imagine how this word could possibly mean that death is ‘fulfilled’ as Williams supposes, nor does it fit with Athanasius’ understanding of death personified as the enemy of God. As if to remove all doubt, Athanasius uses an intensified form of this word: ἐξαφανίζω (ἐξ + αφανίζω) which Lampe defines as ‘cause to disappear *utterly*; destroy, obliterate’.³² Thus Athanasius declares that the power of death was ‘*completely annihilated* (ἐξαφανίσθη)’,³³ that Christ ‘accepted death imposed by men in order to *destroy it completely* (ἐξαφανίσθη)’,³⁴ and that death is utterly annihilated ‘as straw is *destroyed* (ἐξαφανίζων) by fire.’³⁵

There is simply no room here for an interpretation that death is *fulfilled*. Rather death is an *enemy* that is destroyed, wiped out, and utterly abolished. Therefore Athanasius writes that ‘every mechanization of the enemy against men has ceased’³⁶ and repeatedly refers to death being trampled underfoot: ‘it is by the sign of the cross and faith that death is *crushed*’ (καταπατεῖται from καταπατέω meaning ‘to trample’).³⁷ He continues, ‘it is none other than Christ himself who has shown triumphs and victories over death who has been rendered powerless ... death has been destroyed (κατηργῆσθαι) and overcome.’³⁸

Here, in the above passage, Athanasius uses yet another word to describe the destruction of death: καταργέω which the BDAG defines generally as ‘make ineffective, powerless, idle’. This word is frequently used in Paul’s epistles to mean ‘invalidate’ or ‘nullify’ (cf. Ro 3:31; Ro 4:14; Gal 3:17; Eph 2:15, etc.). As it is used in Hebrews 2:14, it means ‘destroy, break the power of, reduce to nothing’.³⁹ This is particularly significant because Athanasius quotes this very passage two times in *De Incarnatione*. The Word became incarnate, he says, in order ‘through coming into it “to *destroy* (καταργήση) him who held the power of death, that is the devil, and to deliver all those who through fear of death had been all their lifetime subject to bondage.”’⁴⁰ Elsewhere he likewise writes that Christ ‘accepted and endured on the cross that inflicted by others, especially by enemies, which they thought to be fearful, ignominious, and horrible, in order that when it had been destroyed he might be believed to be life, and that the power of death be *completely annihilated* (καταργηθῆ).’⁴¹

From all this it really becomes abundantly clear that Athanasius is making a very different point from the one that Williams wants to make. That is, Williams correctly reads death as being penal—as the consequence of retributive justice—but that penal death is not fulfilled, maintained, or upheld in Athanasius’ thought, rather it is ‘destroyed’, ‘abolished’, and ‘completely annihilated’. This is anything but an apology for the merits of retribution. It is a dramatic protest against the death-trap of retributive

30 Athanasius, *De Incarnatione*, ch. 21, 185. Greek at 21.4, 184.

31 *Louw Nida* 20.46; 79.17; 24.27; 13.98.

32 G.W.H. Lampe, *A Patristic Greek Lexicon*, (Oxford: Oxford University Press, 1961), s.v. ἐξαφανίζω.

33 Athanasius, *De Incarnatione*, ch. 24, 193. Greek at 24.11, 192.

34 Athanasius, *De Incarnatione*, ch. 22, 189. Greek at 22.15, 188.

35 Athanasius, *De Incarnatione*, ch. 8, 153. Greek at 8.35, 152.

36 *Ibid.*

37 Athanasius, *De Incarnatione*, ch. 29, 205. Greek at 29.2, 202.

38 *Ibid.* Greek at 29.35, 152.

39 For this reading, see the footnote to Heb 2:14 in the NET.

40 Athanasius, *De Incarnatione*, ch. 20, 185. Greek at 20.38, 184.

41 Athanasius, *De Incarnatione*, ch. 24, 193. Greek at 24.22, 192.

justice with a poetic twist that shows how God beats the devil at his own game.

We can sum up Athanasius' argument as follows: Athanasius sees God as being morally obliged to fulfill the demands of retributive justice. It would be wrong (ἄτοπος), he tells us, for God to ignore this. However, he recognizes that this would have a completely intolerable result of the destruction of God's beloved work. It would be disgraceful (ἀπρεπὲς) and unworthy (ἀνάξιον) of a good and loving God to allow this. God's way out of this intolerable dilemma is to turn the tables by taking the punishment himself, releasing us (λύω) from it by fulfilling its legal demand, and in doing this at the same time, like a Trojan horse, utterly destroying (ἀφανίζω, ἐξαφανίζω, καταργέω) death and corruption. What saves us therefore is not punishment (this simply fulfills a legal obligation of the law). Rather, we are restored to life by the Word indwelling our humanity with his divine life.

The main narrative thrust here is the annihilation of death, the overthrow of devil's bondage by Christ. This is a theme that Athanasius goes on and on about, for page after page, painting this victory in bright vivid colors. This overwhelming narrative focus leads us to ask why Athanasius places so much importance on stressing the annihilation and overthrow of death? If, as Williams wants to argue, Athanasius' goal was truly to defend the legitimacy of retribution, this focus of death's annihilation and despoiling would be very odd, given that the devil personifies the very system of retribution. The implication here is ultimately the *ending* of the dominion of retribution and curse itself, not its fulfillment.

Nevertheless, one could still claim that in a sense Athanasius does portray Christ bearing punishment in order to fulfill the demands of retributive justice. Athanasius begins in the shared assumption of his own culture: accepting the legitimacy of retribution. But if this is penal substitution, then it is a penal substitution that completely undoes the entire penal system. It is a treatise focused on illustrating how intolerable the consequences of that system are to a loving God, and showing how God therefore finds a way out of that awful retributive system—how God finds a legal escape clause out of the death trap of retribution, and more importantly finds a way to restore us to life.

Out of his own culture—steeped in the violent and brutal assumptions of retributive justice—*De Incarnatione* is a bold step away from that dead-end system. It marks the first steps in the beginnings of a trajectory moving away from retribution and towards the superior way of restorative justice.

In one sense it is—as all works are—a product of its time. Athanasius begins with the assumptions of retributive justice, just as he begins with his culture's assumption that God could never suffer. One could read him today and take this as an endorsement of those cultural assumptions, just as one could also read much of the New Testament and see it as an endorsement of slavery. In both cases however it is crucial to recognize the cultural context they both are speaking out of, and further to note the direction they are moving in. Just as I hope we can all by now recognize that the New Testament is in fact moving away from slavery and setting the beginnings of a trajectory that rightfully led to the abolition of slavery, I would propose that Athanasius and the other Church Fathers likewise set a course towards the abolition of retributive justice in their understanding of the atonement, replacing it with the superior way of restorative justice revealed in the Christ-event.

The legacy of retributive justice

Let us take a moment to consider the history of retributive justice in our world and indeed in the church: For centuries the assumption of punitive justice has saturated nearly every segment of our

Western society—shaping how we have approached child rearing, education, mental health, and of course our criminal justice system. It was common in the past for instance to think it was good to beat children at home and at school, to beat one’s servants and workers, and to beat and torture criminals and the mentally ill. The belief behind all this was that punitive violence was ‘good for you’. Beating someone was thought to ‘build character’ and ‘purge the soul’. What we have come to understand as a society however is that punitive violence in fact hardens and breaks people—it destroys the human soul.

Because of these realizations, over the last century there have been major shifts in how we have come to understand justice and its relation to punishment. These changes can be seen not only in the overwhelming consensus of educators, health professionals, and social scientists, but are also reflected in the many laws protecting children, workers, prisoners, the institutionalized, mental patients, and others from corporal punishment and other forms of abuse.

The alternative of course is not to ‘do nothing’, but to actually work towards restoring victims, as well as helping perpetrators develop empathy and responsibility. In other words, (restorative) justice is about making things right, and its effectiveness has been repeatedly documented—both as an alternative to a punitive approach within the school setting (dealing with at risk youth, bullying, and violence),⁴² as well as within the criminal justice system.⁴³

Despite the many examples of the effectiveness of restorative justice today, as well as the ample evidence for the severe damage and abuse inherent in the system of retribution, some people—even ironically some Christians—still can’t seem to conceive of how there could possibly be justice without punishment. Williams for example writes, ‘For Flood the abolition of the law and death involves the abolition of the entire system of retribution leaving its sentence unfulfilled ... Certainly the law is abolished in the sense that it is transcended in God’s dealings with men, but its demands are not simply set aside and left unfulfilled.’⁴⁴

The assumption here is that unless one embraces retributive justice—that is, unless one embraces the idea that only way to make things right is by inflicting punitive violence—one simply ‘sets aside’ justice, leaving it ‘unfulfilled’. This, I would suggest is why Williams misses the narrative of restorative justice in Athanasius: He fails to recognize a clear narrative of restorative justice because he simply cannot conceive of justice without punishment. He sees it as being ‘set aside and left unfulfilled’ without punishment. However, inflicting more hurt and injury does not actually make anything better. In fact, it makes things worse. Bloodshed and violence are not the solution, they are the problem that Christ came to set us free from. A restorative model is not about ignoring sin and hurt, rather it is explicitly about actually making things right by healing the sickness of sin and mending the wounds it has inflicted, rather than making them worse through more hurt. Restorative justice does not bypass the problem, it heals it. Retributive justice, in contrast, exacerbates the problem.

If there ever was a master narrative of the New Testament, surely it is the triumph of the way of restorative grace over law and curse. From our own perspective today, with the many examples surrounding us of how restorative justice can offer real alternatives to the failed system of retribution,

42 For an overview of research on the effectiveness of restorative practices in the school setting see the list of studies and articles at: <http://www.restorativejustice.org/other/schools/outcome-evaluation>.

43 For restorative justice within the criminal justice system see Lawrence W Sherman and Heather Strang, *Restorative justice: The Evidence* (London: The Smith Institute, 2007), available online at http://www.iirp.edu/pdf/RJ_full_report.pdf. As an introduction to the issues involved, the work of Howard Zehr has powerfully drawn attention to the failure of retributive justice to either address the needs of victims or deter crime, while at the same time demonstrating that the opposite holds true with restorative justice. Howard Zehr, *Changing Lenses: A New Focus for Crime and Justice* (Herald Press: Scottsdale, PA, 2005).

44 Williams, ‘Fathers’, 207.

this is much easier to conceive of than it must have been for Athanasius in his time. Therefore, faithfully following in this trajectory set by Athanasius and the other Fathers involves our being ambassadors for the way of grace and restorative justice, and not advocates and apologists for retribution.

Augustine: Justification as deliverance

In my previous article, I cited Augustine's criticism of the notion of God's appeasement in the atonement which is the lynchpin of penal substitution. Commenting on the idea the the death of Jesus appeased God's wrath, Augustine asks,

Does this mean then that the Son was already so reconciled to us that he was even prepared to die for us, while the Father was still so angry with us that unless the Son died for us he would not be reconciled to us?⁴⁵

Augustine here is flat out denying something that lies at the heart of penal substitution: that the atonement is fundamentally about appeasing God's wrath. Williams strenuously objects, claiming I have taken Augustine's words out of context, and accusing me of a 'spectacular piece of interpretative gymnastics'.⁴⁶ With that in mind, I would like to demonstrate that Augustine's above statement is precisely in context to the larger point that he is making in this chapter of *de Trinite* which entails an outright rejection of the idea that the atonement acted to appease God's wrath through substitutionary punishment. Instead, as we will see, Augustine argues that the purpose of the atonement was restorative, and rooted in God's enemy love.

Augustine begins the fourth chapter of *de Trinite* by asking the critical question of the atonement: why did Jesus need to die for us? His response to this is to first stress something I should think we all can agree on: Christ's death for us is first and foremost a 'demonstration of how much value God put on us and how much he loved us'⁴⁷. He continues, 'And what could be clearer and more wonderful evidence if this than that the son of God ... should first of all endure our ills without any ill deserts of his own; and then once we had been brought in this way to believe how much God loved us ... should confer his gifts on us with a quite uncalled for generosity, without any good deserts of ours, indeed with our ill deserts our only preparation?'⁴⁸ Augustine's whole point here is that grace is amazing precisely because it is not deserved, not bought, not paid for.

Augustine further considers this idea in the following paragraph, stressing that God has not only loved us in our weakness, but loved while we were still God's *enemies*.⁴⁹ This brings us to the paragraph quoted above where he now addresses the question of how we are to understand the idea that we are 'justified by the blood of Christ' in this context of God's enemy love. It is at this point that Augustine challenges the idea that the atonement should be understood in terms of God needing to be reconciled to us—an idea that is foundational for the Reform doctrine of penal substitution,

But what is this justified in his blood (Rom 5:9)? What, I want to know, is the potency of his blood, that believers should be justified in it? Is it really the case that when God the Father was angry with us he saw the death of his Son on our behalf, and was reconciled to us? Does this mean that the Son was already so reconciled to us that he was even prepared to die for us, while

45 Augustine, *On the Trinity*, 13.5.19, Edmund Hill (Tr.), *Works of Augustine* (Hyde Park, N.Y. : New City Press, 1991), 359.

46 Williams, 'Fathers', 213.

47 Augustine, *Trinity*, 13.4.13, 353.

48 *Trinity*, 13.4.13, 353–4.

49 *Trinity*, 13.4.14, 354.

the Father was still so angry with us that unless the Son died for us he would not be reconciled to us?⁵⁰

The Latin word translated here throughout as ‘reconciled’ is *placatus*, from which our English word ‘placate’ is derived. In other words, at issue here is the idea of appeasement: whether the purpose of the atonement was to make God favorable towards us. As Augustine notes, this seems to set up a conflict between the Father and the Son,

In fact it seems, doesn’t it, as if this text contradicts the former one? There the Son dies for us, and the Father is reconciled to us through his death; but here it is as if the Father were the first to love us ... But if it comes to that, I observe that the Father loved us not merely before the Son died for us, but before he founded the world.⁵¹

As Augustine argues here, appeasement (i.e. the idea that God needs to be reconciled to us as the condition for our justification) cannot be the point of the atonement because both the Father and the Son *already* loved us while we were sinners and God’s enemies. How then are we to understand the idea ‘that we have been justified in the blood of Christ and reconciled to God through the death of his Son’ if not in this way he asks?⁵² ‘How that was done’, he answers, ‘I shall explain here too as best I can’.⁵³ With this, rather than framing his discussion in terms of a legal courtroom as we might expect, Augustine instead proceeds to discuss the atonement in terms of Christ liberating us from Satan’s captivity, ‘By a kind of divine justice (*quadam iustitia Dei*) the human race was handed over to the power of the devil’.⁵⁴ Like the other Fathers, Augustine’s conception of justice is not a matter of God and man alone, but is framed in terms of humanity’s captivity to the devil.

This captures the complex tension that is common among the Fathers: our captivity to sin is on one hand framed as something demonic and opposed to God, and at the same time reflects God’s justice. As Augustine put it here, ‘the commission of sins subjected man to the devil through the just wrath of God’.⁵⁵ Like Athanasius before him, Augustine here stresses that our being given over to Satan’s captivity should be understood as the inevitable result of our sin, rather than as God’s active judgement, ‘As for the way in which man was handed over to the devil’s power, this should not be thought of as if God actually did it or ordered it to be done, but merely that he permitted it, albeit justly’.⁵⁶

Similarly, our justification should likewise be understood in terms of our being *liberated* from the devil’s captivity, ‘If the commission of sins subjected man to the devil through the just wrath of God, then of course the remission of sins has delivered man from the devil through the kindly reconciliation of God’.⁵⁷ Note here that Augustine—echoing the conclusions of several recent scholarly commentaries on Paul’s understanding of *δικαιωσις* in Romans—does not frame the idea of justification in terms of acquittal, but rather in terms of our *deliverance*.⁵⁸

Typical of the Church Fathers, Augustine frames the atonement in the context of the devil

50 *Trinity*, 13.4.15, 354–5.

51 *Trinity*, 13.4.15, 355.

52 Note that Augustine says here that *we* have been reconciled to God (*reconciliati sumus Deo*) and not that God was reconciled to us.

53 *Trinity*, 13.4.15, 355.

54 *Trinity*, 13.4.16, 355.

55 *Trinity*, 13.4.16, 356.

56 *Trinity*, 13.4.16, 355.

57 *Trinity*, 13.4.16, 356.

58 For example Douglas Campbell argues for a consistent interpretation of *δικαιωσις* as God’s act of ‘liberation’ in a ‘forensic-nonretributive’ sense, *The Deliverance of God* (Grand Rapids: Eerdmans, 2009) 658–663. See also Robert Jewett, *Romans: A Commentary* (Hermenia; Minneapolis: Fortress, 2007).

accusing humanity. For advocates of penal substitution, the accuser is instead God and justice. Consequently, they stress the need for the demands of justice to be upheld and fulfilled. The Fathers, in contrast, continually stress that the tyrannical reign of condemnation has been destroyed, annulled, and canceled. Again, this does not simply mean that the retributive system is bypassed or set aside. The Fathers were concerned to show that God acts justly, even when dealing with a tyrant slaveholder like the devil. Augustine therefore states here that ‘the devil would have to be overcome not by God’s power, but by justice’⁵⁹ Put differently, the system of retribution is not simply bypassed by divine fiat. ‘What then is the divine justice that overpowered the devil?’ Augustine asks, ‘The justice of Jesus Christ—what else? And how was he overpowered?’ His answer is this,

He found nothing in him deserving of death and yet he killed him. It is therefore perfectly just that he should let the debtors he held go free, who believe in the one whom he killed without his being in his debt. *This is how we are said to be justified in the blood of Christ. This is how that innocent blood was shed for the forgiveness of our sins.*⁶⁰

Augustine understands our justification in Christ’s blood in the context of *injustice*. Because the death of Christ was *not* the fulfillment of the demands of justice, the devil therefore forfeited all rights over humanity. In this context, it simply makes no sense to speak of Christ’s death in the sense of ‘fulfilling’ the demands of retributive justice, and this is a point which Augustine stresses. Echoing what Williams would likely identify as penal language, Augustine states ‘In this act of redemption the blood of Christ was given for us as a kind of price’ but then the sentence continues, ‘and when the devil took it he was not enriched by it but caught and bound by it, so we might be disentangled from his toils’.⁶¹ This is the undoing of the very personification of retribution and death, the binding of the Accuser. ‘This was the justice that overcame the strongman, this the rope that tied him up!’⁶² Augustine does not deny the legitimacy of retributive justice—what he denies is the legitimacy of punishing the innocent. When the devil did this, it was unjust and therefore humanity was emancipated from death and hell. This is not the fulfillment of the demand for punishment, it is God’s overthrow of that very system of retribution.

Penal substitution as miscarriage of justice

With this understanding firmly in place, Augustine now returns to the question he raised at the outset: how does the blood of Christ turn away God’s wrath? If, as he said before, this should not be taken in the sense of appeasing God’s anger, what then? In what way does the blood of Christ avert God’s wrath, which Augustine describes here in terms of a ‘just retribution’ (*iusta vindicta*)?⁶³ Augustine again stresses that the problem is not God’s attitude towards us: ‘Nor for that matter were we really God’s enemies except in the sense that sins are the enemy of justice, and when these sins are forgiven such hostilities come to an end’.⁶⁴ That is to say: Remove the sin, and the just cause of wrath is removed with it. The objective problem that needs to be dealt with is ours, not God’s. As Augustine stresses, the problem was never with God’s attitude towards us, ‘Yet he certainly loved these enemies, seeing that “he did not spare his own Son, but while we were still enemies handed him over for us all” (Rom 8:32)’.⁶⁵ In other words, Augustine frames the atonement in terms of expiation (the removal of

⁵⁹ *Trinity*, 13.4.17, 356.

⁶⁰ *Trinity*, 13.4.18, 357. Emphasis added.

⁶¹ *Trinity*, 13.5.19, 359.

⁶² *Trinity*, 13.5.19, 358.

⁶³ *Trinity*, 13.5.21, 360.

⁶⁴ *Trinity*, 13.5.21, 360.

⁶⁵ *Trinity*, 13.5.21, 360.

sin subsequently removing the cause of wrath), rather than propitiation (the appeasing of God's need for retribution through the punishment of the innocent Jesus in place of the guilty) which he clearly rejects, describing this as an act of grave injustice perpetrated by the devil.

Augustine's legal argument here that the devil unjustly took the life of the innocent Jesus raises an issue with penal substitution that is seldom acknowledged today: even if we accept the legitimacy of retributive justice, (i.e. the idea that it is just to punish the guilty) it simply makes no sense within that framework to claim that justice is fulfilled by punishing the innocent in place of the guilty. The simple fact is, there is no legal system in the entire world that would acknowledge that executing the innocent in place of the guilty is anything but a grave miscarriage of justice. So while Augustine begins with the idea of retributive justice (that sinners are under just judgement) his statement that the devil lost all rights over humanity when he unjustly killed Christ is an outright rejection of the entire logic of penal substitution specifically. That is, Augustine directly rejects the idea that punitive justice can be fulfilled by punishing the innocent in place of the guilty, which is very working mechanism of penal substitution.

It is at this point that we now have the full context with which we can understand Augustine's provocative question, 'Does this mean then that the Son was already so reconciled to us that he was even prepared to die for us, while the Father was still so angry with us that unless the Son died for us he would not be reconciled to us?'⁶⁶ His answer is that God was not angry. On the contrary, God loved us so much that he gave his beloved Son to save us. God's wrath, he tells us, should not be understood in terms of God's attitude towards us (which is love), rather it describes our state of alienation. The solution therefore is not to change God's attitude, but to change us. Heal us of our sin, and there is no reason for wrath. This is expiation (the removal of sin) with the explicit denial of propitiation (wrath being turned aside via appeasement through punishment). It is atonement via restoration not retribution.

Conclusion:

Following in the trajectory of restoration

The central disagreement between Williams and myself is the question of whether the gospel is at its heart rooted in restorative or retributive justice. I maintain that the gospel is about overcoming retribution with the superior way of restorative enemy love. This is God's way of justice revealed in Christ, and is to be our way of justice as well. Williams instead insists that the atonement is a vindication and fulfillment of the way of retribution. For Williams punishment is God's way of bringing about justice, and likewise should shape how human authority brings about 'justice' as well through violence done in God's name.⁶⁷

The claim that Church Fathers taught a Reform understanding of penal substitution is simply baseless. Instead, the Fathers clearly taught that the means of the atonement was our *restoration*, i.e. a change in us, not a change in God. That said, we have in the examples of Athanasius and Augustine that many of these Fathers begin with the assumption of the rightness of retributive justice (the idea that the guilty deserve punishment). Similarly, they equally begin with an assumption of the rightness of human

⁶⁶ *Trinity*, 13.5.19, 359.

⁶⁷ Discussing the moral implications of penal substitution in another paper, Williams has argued for the use of vengeance by 'the ruling authorities' in God's name arguing that they have been given God's 'limited' sanction to 'to implement this final justice' by the sword (Williams, 'Penal Substitution: A Response to Recent Criticisms' *JETS*, 50.1 [Mar, 2007] 71-86 at 73). Online at http://www.etsjets.org/files/JETS-PDFs/50/50-1/JETS_50-1_071-086_Williams.pdf

slavery. Indeed, the very notion that justice requires that the devil be paid a ransom is rooted in the assumption that slavery is legitimate and just. Therefore, if we wish to claim that retributive justice is divinely mandated based on the views of the Fathers, then we would equally need to accept slavery as divinely mandated as well. This of course puts us in quite a corner, as I doubt that anyone today would wish to claim that slavery is an unchanging divine mandate.

Thankfully, there is an alternative to this moral *cul de sac*. I would like to suggest that, not only does this position put us in a severe ethical bind, it also constitutes a profound misreading of the Church Fathers' understanding of the work of Christ. Instead, we need to recognize that the clear narrative thrust of the Church Fathers' understanding of the atonement is to move away from retribution and away from slavery, not to defend and uphold them. The fact that the Fathers framed both of these as the domain of Satan should alert us to this fact. The Fathers' understanding of the atonement is completely misunderstood when it is framed as an apology for retribution or slavery. On the contrary, their focus was on Christ *ending* the curse (i.e. retribution), and *ending* bondage (i.e. slavery). Again, I seriously doubt that there is anyone today who would want to argue, based on Scripture and the writings of the Fathers, for the legitimacy of slavery. However, the plain fact is: It is far easier, based on Scripture and the writings of the Fathers, to argue for the abolishment of retribution than it is to make a case for the abolishment of slavery based on these.

In the same way that we have recognized in the New Testament and in the Fathers a trajectory that led towards the eventual abolishment of slavery, my hope is that we would also in our time finally grasp the need to follow the clear trajectory that charts a course towards the abolishment of retribution, replacing it with the superior way of restorative justice modeled by God in Christ that we can see so clearly modeled in the Father's understanding of the atonement.

In saying this however, I do not wish to paint an idealistic and therefore unrealistic picture of the Church Fathers. The sad fact is that, beginning with the so-called Constantinian compromise, the church set itself on a very different trajectory that quickly escalated into horrific violence and bloodshed in the name of God. So while the Father's understanding of the atonement may reflect the New Testament's narrative of restorative justice overcoming retribution, we increasingly see them embracing the way of violence as they align themselves more and more with the state and its sword.

For example, while we have seen that Augustine's understanding of the atonement was rooted in the New Testament's framework of restorative justice, Augustine at the same time advocated for the violent persecution of the Donatists in the name of (retributive) 'justice'. In a letter entitled *The Correction of the Donatists*, Augustine quotes his fellow Christian opponents as saying that 'the true church is the one that suffers persecution, not the one that inflicts it.'⁶⁸ Augustine however shockingly argues *against* this, instead declaring that 'persecution is just which the church of Christ inflicts upon the wicked.'⁶⁹ Now it's important here to keep in mind that Augustine when he speaks of the 'justice' of persecuting of the 'wicked' here is referring to a group who he freely admits from the outset believes 'the same thing that the Catholic Church believes.'⁷⁰ In other words, he is not even addressing so-called heretics, but those whom he regards as sharing the same beliefs as himself. With this justification, Augustine proceeds in his letter to advocate a policy of 'Catholic unity by terror and coercion' in the name of Christ.⁷¹ It is therefore with good reason that biographer Peter Brown calls Augustine 'the first

68 Augustine, *The Correction of the Donatists* (Letter 185), Roland Teske (Tr.), *Works of Augustine*, II/3 (Hyde Park, N.Y. : New City Press, 1990), ch. 10, 185.

69 Ibid., ch. 11, 185.

70 Ibid., ch. 1, 180.

71 Ibid., ch. 28, 196.

theorist of the Inquisition'.⁷²

Augustine got his understanding of the atonement right—indeed, he got many things right, and left us with some of the most beautiful and aching prose of the heart's longing for God that have ever been penned. However, Augustine failed to see how the way of restorative justice modeled by God on the cross should shape our own lives, and instead used his rhetorical skills in the service of justifying the status quo's way of retribution, violent coercion, and bloodshed.

The moral here is that Augustine was no more of a 'saint' than you or I are. He—along with the other Church Fathers—got many things right, but was also captive to cultural blinders that made him miss the way of Jesus. So in reality, there are in fact two opposite trajectories: one upward trajectory rooted in restorative justice reflected in the Church Father's view of the atonement, and alongside it an opposite downward trajectory in the direction of violence, carried out in the name of retributive justice, which the church all too soon became captive to.

As a society, we have increasingly come to understand the severe harm that comes from retributive justice. Tragically, a good deal of that harm has come from the arm of the church over the centuries in the form of violence carried out in the name of God. One shudders to think of all the people who have been beaten—let alone tortured and killed—in the name of retributive justice, and in the name of Christ. That is a part of our family history as Christians that we need to repent of, not seek to justify. We need to follow in the way of that upward trajectory.

In our time we have seen like never before that the way of restorative justice is a viable way to address societal issues that we previously had thought must be dealt with through punitive means. The way of Jesus is no longer seen as unrealistic idealism that can only be applied on a personal level. But that does not mean it is an easy way. Following in this upward trajectory is indeed as uphill climb. It can be hard to know how to intelligently apply the way of enemy love in our world. It can cut against the grain of both our instinct and our culture. But if we want to call ourselves followers of Jesus then we need to put ourselves on that uphill road. The Father's understanding of the atonement walked us half way up. It's time we took up our crosses and walked the rest of the way up that hill.

⁷² Peter Brown, *Augustine of Hippo: A Biography* (Berkeley: University of California Press, 2000), 236.