

Eschatological Justice and the Cross: Violence and Penal Substitution

Boersma, Hans

ABSTRACT: Recent objections to penal substitutionary views of the atonement argue that they valorize violence. This essay argues that, to the contrary, penal substitution may be viewed as a warrant of eschatological justice that offers hope both to victims and perpetrators of violence. A rejection of all penal justice would contribute to the cycle of violence. Penal justice is a last resort for the sake of God's future eschatological justice. Christ's voluntary self-sacrifice also entails that God takes the punishment for sin upon himself, thus offering the hope of eschatological justice to all.

That the cross is the church's central symbol is unlikely to be disputed. Whether this symbol is positive or negative, however, is a question that tends to generate more discussion. To many Christians, the cross is the primary symbol that brings hope for the forgiveness of sins and so for the possibility of new life: Christ's death on the cross means that one's sins have been dealt with and that God's forgiveness is forthcoming. Many have drawn such comfort from the symbol of the cross that they will find it hard to imagine that it could function in any other way. Others, however, point out that the cross has functioned in violent and oppressive ways throughout the history of the church: From Constantine's vision of the cross at the eve of the battle at the Milvian Bridge in the fourth century, to the crusades in the Middle Ages, to the conquistadors in the fifteenth and sixteenth centuries, Christians have used the cross as an excuse for the use of military power, oppression, and other forms of violence. Indeed, many are asking whether the cross is perhaps an inherently violent and oppressive symbol, responsible for abuse and violence not only in the wider military and political realms but also in personal relationships and even in the intimacy of family life.

The focus for apprehension about the cross is usually the idea that Jesus Christ suffered punishment for the sake of sinners. A number of feminist scholars, in particular, are of the opinion that the notion of the cross as a form of penal justice is problematic. In her recent book, *Embracing Travail*, Cynthia Crysdale, for instance, insists:

Redemption comes to be understood (under Anselm's influence) as the requirement of a distant, omnipotent God for the satisfaction of his honor. God's mercy gets lost in the idealization of punishment and suffering, and God is seen as sadistic and bloodthirsty. Such a God and the acceptance of our deserved punishment become necessary in order for the message of salvation to mean anything.¹

Punishment on the cross, Crysdale asserts, implies a bloodthirsty God. She is not alone in this criticism of the Anselmian tradition's emphasis on penal substitution. Rita Nakashima Brock also criticizes traditional atonement models, saying, "Such doctrines of salvation reflect by analogy, I believe, images of the neglect of children or, even worse, child abuse, making it acceptable as divine behavior-cosmic child abuse, as it were."² There appears to be a growing concern about an unholy alliance between penal substitution and violence.³ Critics object that penal substitution valorizes unjust violence at both the divine and the human level: God inflicts suffering, while humans are encouraged to accept it. If these objections can be sustained, penal substitution can hardly hold out hope of reconciliation and peace, either with God or among human beings. I am not convinced, however, that the objections are particularly persuasive. On the contrary, I will argue that we may look at divine penal substitution on the cross as an instance of eschatological justice that furthers peace and reconciliation and, as such, offers hope to both victims and perpetrators of violence.⁴

I readily grant that not all methods of construing a theory of penal substitution are equally hopeful. It may well be that certain ways of understanding this theory have contributed to a judgmental mindset and even to violence. For example, when theories of penal substitution separate God's justice and mercy, perhaps even valorizing the former over the latter, the picture of a "bloodthirsty" God becomes understandable. Likewise, the designation of atonement as "satisfaction," focusing solely on divine wrath, obscures the all-encompassing love of God. The counsel of Nietzsche's Zarathustra is certainly to the point: "Mistrust all in whom the impulse to punish is powerful. They are people of a low sort and stock; the hangman and the bloodhound look out of their faces. Mistrust all who talk much of their justice!"⁵ Finally, a penal substitution model that construes the punishment of Jesus as inflicted by the Father on an innocent third party cannot avoid charges of abusive violence and injustice. It is fair to say that popular explanations of the atonement have at times fallen prey to such unfortunate misconceptions, and the church needs to be vigilant that it does not become the cause or the occasion of abusive violence.⁶ When arguing that penal substitution offers hope, I am saying that this is the case only for the theory as I am outlining it in this essay.

CRIME, PUNISHMENT, AND JUSTICE

To begin, it may be helpful to make some general comments on the nature of punishment. First, punishment assumes an authority structure. If I punish someone, I must be in a legal position to do so; it is not enough simply for me to have the power to take away certain rights or to inflict a certain kind of injury. The same act may be called a punishment in one instance and a crime in another, depending on whether the act is performed with or without the legal authority to inflict punishment. In other words, there is a difference between crime and punishment.

This distinction is significant for the topic under consideration. The gospel accounts inform us that Jesus died at the hands of Jewish and Roman authorities. This brings us into the realm of punishment rather than the realm of crime. Theologically speaking, penal substitution assumes that Jesus' crucifixion was not only a human punishment but also a divine punishment. Either way, whether considered from the historical or the theological perspective, the cross is a form of punishment enacted by an authority in a legal position to execute it. Penal substitution, therefore, takes us into the realm of punishment, not into the realm of crime.

To justify violent crimes by appealing to divine penal justice thus involves a serious category mistake. Suffering as the result of crime is simply a different kind of suffering than Christ's suffering on the cross. The notions of crime and punishment are not the same, and human criminal behavior cannot properly be modeled on an understanding of the cross as penal substitution. To be sure, it is possible to imagine a person rationalizing forms of criminal violence by means of an appeal to the cross. It is also possible to imagine that people make such a link subconsciously. Nonetheless, when an individual draws wrong inferences from a penal theory of the atonement, the error lies not with the penal theory but with the person drawing the mistaken conclusion.

Admittedly, the difference between crime and punishment does not legitimize just any punishment, merely because someone who is in a legal position to do so enacts it. Jacques Derrida reminds us of the important distinction between law and justice. The law never captures justice in its entirety, and justice always needs to do more than calculate mere statistical evidence. Some laws may be patently unjust, implying that some punishments may be entirely misplaced. The injustices of historical, positive laws mean that they are always subject to revision or deconstruction, whereas the notion of justice itself cannot be deconstructed. As Derrida puts it:

The structure I am describing here is a structure in which law (*droit*) is essentially deconstructible The fact that law is deconstructible is not bad news. We may even see in this a stroke of luck for politics, for all historical progress. But the paradox that I'd like to submit for discussion is the following: it is this deconstructible structure of law (*droit*), or if you prefer of justice as *droit*, that also insures the possibility of deconstruction. Justice in itself, if such a thing exists, outside or beyond law, is not deconstructible. No more than deconstruction itself, if such a thing exists. Deconstruction is justice.⁷

Justice does not blindly apply the law but looks at the particular situation and so comes to a particular decision. John D. Caputo rightly comments, therefore: "Whenever a legal system has been good, whenever it has been something more than a blind and flexible tyrant, whenever laws have protected the weak against the strong and prevented the winds of injustice from sweeping across the land, then the law has been deconstructible."⁸

These Derridean reflections on justice help clarify questions concerning divine justice in connection with the cross. Is divine punishment on the cross a response to transgressions of a law that has little or no resemblance to eschatological justice? Is this punishment perhaps out of proportion to the transgression that it intends to penalize? Is substitution so out of joint with standards of justice that it obstructs messianic justice? In short, does the divine punishment of Christ on the cross serve or impede the coming of eschatological justice?⁹ The answers to these questions determine whether God condones arbitrary violence and whether the cross perpetuates human victimization.

The notion of eschatological justice is also helpful because it allows us to consider questions of mercy and forgiveness in dealing with justice. If justice always means strict retribution ("an eye for an eye and a tooth for a tooth"), then little room is left for mercy and forgiveness. If, on the other hand, justice looks beyond historically constituted laws, then it is not primarily interested in an uncompromising enforcement of the law. The application of justice, in that case, will take considerations of a higher order into account. It seems obvious that strict retribution does not always encourage the overall well-being of the community. No judicial system prosecutes each and every violation of the law. Various social and economic considerations (financial costs of enforcement, the risk of crime going underground, personal extenuating circumstances, and so on) may lead to leniency in either enforcement of the law or punishment.

Why, then, does God punish at all? Why does he not simply forgive? Can God not restore the divine-human relationship without resorting to something that may strike us as offensive and unworthy of God? Similar questions are often asked in connection with the North American system of criminal justice: Why punitive justice?¹⁰ Is punishment really necessary if the purpose is ultimately eschatological justice and communal peace? Does punishment not stand in the way of such an eschatological vision? In light of the variety of views on the atonement, this question certainly has its place. If any and all divine punishment would be unjust and abusive in character, then penal substitution would obviously justify the fears of violence and perpetuation of suffering. How, specifically, does punishment in connection with human relationships serve the interests of messianic justice?

Punishments can serve different goals: prevention, rehabilitation, deterrence, retribution, or some combination of these four.

The first three purposes of punishment in some way or other have the effect of protecting society. Even though the rehabilitative purpose is primarily focused on the cure of the criminal, it also indirectly benefits society since, if the criminal is truly cured, society will not be attacked again. The retributive purpose of punishment is aimed at something greater than society, justice itself, and thus is independent of the good (or, for that matter, the evil) that is brought to others by the execution of the punishment.¹¹

Let us assume for a moment that we do away with all punishment. It seems to me that this would have profound consequences for both the victim and the perpetrator of the crime. It would do away not only with retribution (which aims at satisfying a perceived need for revenge, apart from considerations about the future well-being of the community), but also with the other three goals of punishment, all of which aim at eschatological justice.

In terms of prevention and deterrence, an unequivocal rejection of punishment means, at the very least, that the external incentives to stop criminal behavior are being reduced. Why would people stop their criminal behavior unless they expected a legal penalty for engaging in that behavior? "Cheap grace," argues L. Gregory Jones, "denies any real need for deliverance from sin since it justifies the sin instead of the sinner. As such, cheap grace offers consolation without any change of life, without any sense of either dying or

rising with Christ. Indeed, cheap grace does not require any embodiment ... "12 Abolishing all external punishment eliminates a much-needed incentive for the perpetrator to stop the cycle of victimization and so removes the perpetrator's as well as the victim's hope of peace and justice.

For the victim, a nonpenal understanding of justice carries a further consequence: There is no recourse for the offence. Regardless how little remorse an offender may show, the victim is forced to accept that society refuses to deal with the crime. The result may well be that "the world will remain forever awry, the blood of the innocent will eternally cry out to heaven."13 Even if the victim of violence is obligated to extend forgiveness, experience dictates that forgiveness is long and arduous, oftentimes not forthcoming at all. If it is to be adapted to real life, the judicial system needs to take into account the victim's difficulty in extending forgiveness to the perpetrator. The strong human propensity to harbor feelings of revenge is a reality in a sinful world: Where victimizing others is not punished, this omission may aggravate the damage done by the criminal, further diminishing prospects for reconciliation. Without punishment, it becomes more difficult to mend the tears in the social fabric and achieve justice.14 An entirely nonpenal understanding of justice is not just, simply because it does not serve eschatological justice.

Interestingly, Old Testament law (without which we cannot comprehend our contemporary sense of justice) corroborates the observation that punishment may assist in reconciliation and in the flourishing of the community's justice. The Old Testament also has the peace and reconciliation of the covenant community as its ultimate concern. Judgment (mis pat) must accord with covenant faithfulness or righteousness (s^{sup} e^{daqa}).15 Advocates of contemporary restorative justice initiatives rightly draw attention to the relational connotations of faithfulness and protection that are tied up with the concept of "righteousness."16 Hebrew law removes us far from the blindfolded Roman goddess, Justitia. Or, as Miroslav Volf puts it: "If Justitia is just, then Yahweh is patently unjust."17 Punishment in the Old Testament intends to restore severed relationships and, with this, victims' as well as perpetrators' hopes for peace and justice within the covenant community.

It seems clear, therefore, that, under certain conditions, punishment can play a positive role. Rehabilitation, deterrence, and prevention may make punishment a helpful thing. Ultimately, the purpose of punishment is the community's well-being: The crime has affected the community's relationships, which need healing. Punishment can restore hope. To be sure, this apologia for punishment does not settle the question of when to punish. It does not settle the question of the appropriate degree of punishment in particular situations. The answers to these questions will always depend on ad hoc decisions regarding particular laws and particular people in particular circumstances.

MONOTHEISM, JUSTICE, AND PUNISHMENT

We can now apply to justice and forgiveness some of our observations regarding the role of punishment. The positive effects of punishments apply not only within human relationships, but also within the divine-human relationship. First, the threat of divine punishment may serve as a deterrent, inclining people to live more virtuous lives. Divine punishment may mitigate the cycle of violence and victimization, thereby offering hope to perpetrator and victim alike. Second, when crime victims are aware that God punishes the criminal, it may assist them in dealing with the consequences of the crime. It may persuade them not to take revenge but to "leave room for God's wrath" (Rom 12:19), knowing that the world will not remain awry forever. Again, this knowledge of God's Justice may help the victim come to terms with the injustice that has occurred and prevent the perpetrator from being victimized in revenge, thus breaking the cycle of crime and victimization.

Of course, the hypothetical justifiability of some form of divine punishment does not mean that the specific punishment of Christ on the cross necessarily was appropriate; nor does it imply that the substitutionary character of this punishment is appropriate. This leads us, then, to the particularities of the law that led to Christ's death and to the historical circumstances surrounding it. Do the particular historical structures that enabled Christ's death and their theological appropriation as penal substitution offer hope of reconciliation for both victims and perpetrators? To answer this question, we need to look at the biblical narrative within

which the death of Christ occurs. What law is applied in penal substitutionary atonement? And how is this law applied in the crucifixion of Jesus Christ?

The "Shema" of Deuteronomy 6:4-5 is the heart of Jewish worship: "Hear, O Israel: The LORD our God, the LORD is one. Love the LORD your God with all your heart and with all your soul and with all your strength." The particularities of Deuteronomic law all have their place in relationship to the confession of the Shema, so that transgression is to some degree a rejection of God, to whom the Israelites owe exclusive loyalty.

This confession is also the ultimate standard of eschatological justice. Divine punishment thus is closely connected to the rejection of the covenant relationship between God and his people and of God as the only true God. If the Israelites consistently reject the Shema by worshipping idols, God will curse the people and inflict punishment on them: "But if your heart turns away and you are not obedient, and if you are drawn away to bow down to other gods and worship them, I declare to you this day that you will certainly be destroyed" (Deut 30:17-8).

Not every transgression of the law would lead to punishment. According to Old Testament law, Israelites could atone for their sins by means of repentance and sacrifice, thereby restoring fellowship.¹⁸ The Deuteronomic law suggests, however, that Israel consistently rejected the very aim of repentance and sacrifice: restoration of, and growth in, its relationship with God. The book of Deuteronomy leads up to God's prediction of the rebellion of Israel, its rejection of the Shema, and thus to exile as the curse of the law.¹⁹ The books of Joshua through 2 Kings trace Israel's apostasy leading up to the exilic curse.²⁰ Significantly, exile is God's last option. God resorts to this climactic punishment only when it becomes clear that Israel as a nation has consistently refused to repent and so to obtain forgiveness from God. In other words, exile as punishment for sin salvages monotheistic worship as the very heart of the law. This punishment serves justice: the worship of God, which alone constitutes complete justice. Justice, peace, and worship of the only true God are, at least in the Deuteronomic view, eschatological.

Questions about the compatibility of divine forgiveness and punishment thus lead us deeper into the biblical narrative. It is certainly true that God would rather forgive than punish, often does forgive rather than punish, and that not every transgression necessitates divine punishment. But the biblical narrative highlights Israel's consistent rejection of God's plans for justice. Exile seeks to subvert this constant pattern. Israel's lack of repentance, in the end, leads to divine punishment only after Israel has consistently rejected its confession of monotheism.

PENAL JUSTICE AND RECAPITULATION

Punishment is eminently understandable if the very fabric of justice is at stake and if the punishment serves to advance this justice. This is exactly the role of the punishment of exile according to the biblical narrative. The Old Testament never viewed exile as the final act of abandonment. The exile served the restoration of community. Both Deuteronomy (30:1-10) and the prophets (Jer 31:31-4; Ezek 36:26-7) looked forward to a new covenant in which the relationship with God would once again be restored.

Pauline theology proceeds on the assumption that not only is the exile a consequence of Israel's rejection of God, but that, at least in principle, the restoration of Israel also has occurred. Paul refers to the exilic curse of Deuteronomy as "the curse of the law" (Gal 3:13; compare Deut 27:26).²¹ According to some recent interpretations of Paul, Jesus recapitulated Israel's history, leading up to its exile (as the Deuteronomic curse).²² The return from this exile ultimately could be attained only by means of a resurrection from the dead, an Adamic re-creation (Ezek 37:1-14). In Christ's resurrection, Israel as a whole experiences return from exile and the human race—at least in principle—experiences its restoration and re-creation (2 Cor 5:17).

This narrative implies penal substitution—but substitution of a particular kind, one more or less in line with the theology of Irenaeus (c.130-c.200 AD). In his struggle against gnosticism, Irenaeus takes the incarnation of the Word seriously. Only if the Word has truly become flesh is it possible for humans to be

redeemed and taken up into the divine life: "For in what way could we be partakers of the adoption of sons," Irenaeus asks, "unless we had received from Him through the Son that fellowship which refers to Himself, unless His Word, having been made flesh, had entered into communion with us?"²³ The incarnation, in Irenaeus's view, ultimately leads to the vision of God and thus to fellowship with God.²⁴

The way Irenaeus connects incarnation and eschatological justice is intriguing. He uses the concept of recapitulation, which he understands as a retracing of the pattern of Adam's creation, life, and death that effects the restoration and renewal of humanity.²⁵ The incarnation serves the victory of Christ over Satan and reveals to human beings what the Father is like, so that by imitating the Word, people may be restored to the image and likeness of God.²⁶ These ideas contain the seeds of the later Christus Victor theme and of a moral influence theory of the atonement. But Irenaeus refuses to privilege these approaches at the expense of notions of sacrifice and propitiation.²⁷ Opposing a Marcionite reading of the Old Testament, Irenaeus comments that Jesus "did not make void, but fulfilled the law, by performing the offices of the high priest, propitiating God for men, and cleansing the lepers, healing the sick, and Himself suffering death, that exiled man might go forth from condemnation, and might return without fear to his own inheritance."²⁸ Irenaeus views Christ's sacrificial death as integral to recapitulation—a process initiated by the incarnation that leads to immortality and incorruptibility and thus to the ultimate fruition of eschatological justice.²⁹

In a number of ways, then, the death of Christ as the penalty for human sin—whether a recapitulation of the exile of humanity from the garden of Eden or the exile of Israel from the promised land—serves the purposes of God's eschatological justice. First, the punishment that Christ bears is not simply punishment against this or that particular legal construct. Christ bears the punishment for the rejection of justice itself, of fellowship and life with the only true God. Second, Christ's punishment rehabilitates human beings to fellowship with God. In other words, God wants to give people justice even though they abandon it, so the cross means hope not only for the victim but even for the perpetrator. God does not leave people in the brokenness of injustice but allows Christ to retrace the life and death of Israel (and the life and death of Adam) for the sake of his eschatological justice.

Christ's penal substitution needs to be understood in light of the goal of the punishment—restoration of justice and human fellowship with God and each other. One way of articulating the importance of this goal is by means of Richard Mouw's "important distinction between redemptive and masochistic suffering."³⁰ We all can imagine situations in which we would give up something of ourselves in the interest of others. As a parent, I gladly do certain things for my children, even if there is a personal cost attached. I like to think that I would even be willing to die, if that were necessary to save my children's lives. We all view self-sacrifice—the giving of oneself for the sake of others—as appropriate in certain circumstances. This principle is reflected in Jesus' words, "No one has greater love than this, to lay down one's life for one's friends" (John 15:13). Though not all self-sacrifice is appropriate (and it is important not to lose sight of this fact), in certain circumstances it may be a perfectly right thing to do.

Christ's sacrifice on the cross was voluntary. From the time of his temptation in the wilderness, he refused to assume the messianic kingship in a way that would subvert justice, even if that meant he could not avoid suffering. The "kingdoms of the world and their splendor," to which Satan alluded, would be his—but he would receive them only by way of suffering and death. This decision implies a significant difference between Christ's suffering and the suffering that results from abuse. Coercion on the part of the perpetrator and involuntary suffering on the part of the victim characterize abusive relationships. Neither coercion nor involuntary suffering can be attributed to Christ's atoning death on the cross. Any attempt to maintain abusive power structures by appealing to the cross is theologically incoherent and morally insidious.³¹ Anselm already drew attention to the voluntary character of Christ's suffering and death: "God, therefore, did not force Christ to die, there being no sin in him. Rather, he underwent death of his own accord, not out of an obedience consisting in the abandonment of his life, but out of an obedience consisting in his upholding of righteousness so bravely and pertinaciously that as a result he incurred death."³² The consistent biblical witness is that Jesus voluntarily took suffering upon himself as part of his messianic vocation to restore communal justice and peace for Israel and humanity.³³

By retracing the steps of Israel and Adam, Jesus vicariously bore the suffering of abandonment and exile. The picture of an angry Father venting his fury on his child is an unbalanced caricature. It does not take into account the utter rejection of God's justice and the consistent refusal of divine forgiveness and restoration-and so it fails to acknowledge God's mercy in dealing with human rejection once and for all. It also neglects to inculcate the aim of penal substitution, namely, restoration of community and eternal peace. Finally, it ignores the voluntary character of Christ's suffering in the interest of this eschatological justice.

PENAL SUBSTITUTION AND THE SUFFERING OF GOD

For Irenaeus, the incarnation is an indispensable precondition for redemption and for maturation into full communion with God. Irenaeus regards the incarnation as the climax of God's progressive self-revelation, something the Bishop of Lyons traces throughout the Old Testament.³⁴ Indeed, the biblical witness suggests that God does not remain aloof from the human condition. God enters time and space and is affected by them. The Old Testament portrays God as longing and hoping for the restoration of fellowship with Israel.³⁵ Terence E. Fretheim draws attention to a number of passages in the Old Testament that express God's hope for the return and restoration of the people. The opening words of Isaiah 65 provide a striking example: "I was ready to be sought out by those who did not ask, to be found by those who did not seek me. I said, 'Here I am, here I am,' to a nation that did not call on my name. I held out my hands all day long to a rebellious people, who walk in a way that is not good, following their own devices . . ." ³⁶ God yearns for a relationship with the people. This divine hope results in God's suffering emotionally for the sins of the people. In fact, God's hopes for them run so deep that, to sustain them, God bears their suffering. God even carries their burdens and sins.³⁷ God's hope for, and commitment to, reconciliation and fellowship lead to self-giving in the incarnation, which is the climax of God's entry into the material and temporal conditions of life. In the mystery of the incarnation, God takes on human flesh and becomes subject to the conditions of human life, including violence, pain, and suffering.

If the incarnation is the ultimate self-revelation of God (Heb 1:1-2), then Jesus' compassion and self-sacrifice reflect God's compassionate self-sacrifice. Irenaeus takes God's involvement with time and matter so seriously that he sees "the impassible becoming capable of suffering."³⁸ The reality of the incarnation, with its intimate connection between the human and the divine natures, means for Irenaeus that God suffers on the cross. If the cross is indeed an instance of divine self-sacrifice, it means that in Christ God has taken the punishment onto himself and that, in the words of Karl Barth, the judge is judged in our place.³⁹

God's self-donation in the crucifixion of Christ speaks strongly to both objections against penal substitution. First, it counters the notion that penal substitution is God's unjust infliction of suffering on an innocent third party. Since God assumes the penalty rather than punishing a third party, God can no longer be construed as a "bloodthirsty" God who punishes the innocent. Rather, by absorbing the punishment and thus enabling humankind to obtain forgiveness, God offers hope for the attainment of ultimate justice. Second, the objection that penal substitution glorifies suffering and so perpetuates victimization is also affected. Not all divine actions are to be imitated: We are not called upon to create the world or to pour out the Holy Spirit. Neither are we in a position to deal with Israel's and humanity's rejection of God's justice. It is God alone who through self-sacrifice opens the way for final justice.

Not everyone may find the symbol of the cross hopeful. A careful exploration of penal substitution, however, puts to rest fears of an arbitrary and abusive God and the idea that a Christian doctrine of the atonement need perpetuate human suffering. First, since punishment and crime belong to different categories, the former may not be used to justify the latter. Second, in our sinful world, rejection of all penal justice would only contribute to the cycle of violence and therefore would not serve the hope of eschatological justice. Third, the justification of penal justice in the particular instance of the crucifixion is rooted in the divine determination to uphold the vision of eschatological justice despite the people's consistent rejection of it. Penal justice is thus a last resort that God enacts not for its own sake but for the sake of the future of his eschatological justice. In light of this unique purpose, Christ's voluntary self-donation is not a recipe for the perpetuation of human suffering but a beacon of hope for an end to all

victimization. Finally, the mystery of the incarnation implies that God takes the punishment for sin upon himself, thereby offering to perpetrator and victim alike the hope of eschatological justice.⁴⁰

¹Cynthia S. W. Crysdale, *Embracing Travail: Retrieving the Cross Today* (New York: Continuum, 1999), 115.

²Rita Nakashima Brock, *Journeys by Heart: A Christology of Erotic Power* (New York: Crossroad, 1988), 56.

³See also Joanne Carlson Brown and Rebecca Parker, "For God So Loved the World?" in *Christianity, Patriarchy and Abuse*, ed. Joanne Carlson Brown and Carole R. Bonn (New York: Pilgrim, 1989), 1-30; Timothy Gorringer, *God's Just Vengeance: Crime, Violence, and the Rhetoric of Salvation* (Cambridge: Cambridge University Press, 1996); Aaron Milavec, "Is God Arbitrary and Sadistic? Anselm's Atonement Theory Reconsidered," *Schola* 4 (1981): 45-94; Craig L. Nesson, "Violence and Atonement," *Dialog* 35 (1996): 26-35; Darby Kathleen Ray, *Deceiving the Devil: Atonement, Abuse, and Ransom* (Cleveland: Pilgrim, 1998). Joel Green and Mark Baker also accept the link between violence and penal substitution in *Recovering the Scandal of the Cross: Atonement in New Testament and Contemporary Contexts* (Downers Grove: InterVarsity, 2000).

⁴In discussing penal substitution, I am aware that I am not dealing with atonement theology in its full breadth. By arguing that penal justice offers hope, I am therefore not saying that this is the only hope that the cross offers in the struggle against violence.

⁵Friedrich Nietzsche, "On the Tarantulas," in *Thus Spoke Zarathustra* (New York: Modern Library, 1995), 100.

⁶Compare T. Richard Snyder, *The Protestant Ethic and the Spirit of Punishment* (Grand Rapids: Eerdmans, 2001), 11.

⁷Jacques Derrida, "Force of Law: The 'Mystical Foundation of Authority,'" in *Deconstruction and the Possibility of Justice*, ed. Drucilla Cornell, Michel Rosenfeld, and David Gray Carlson (London: Routledge, 1992), 14-5.

⁸Jacques Derrida, *Deconstruction in a Nutshell: A Conversation with Jacques Derrida*, ed. John D. Caputo (New York: Fordham University Press, 1997), 130.

⁹See Nicholas Wolterstorff, "The Contours of Justice: An Ancient Call for Shalom," in *God and the Victim: Theological Reflections on Evil, Victimization, Justice, and Forgiveness*, ed. Lisa Barnes Lampman with Michelle D. Shattuck (Grand Rapids/Washington: Eerdmans/Neighbors Who Care, 1999), 107-30.

¹⁰Christopher D. Marshall, "The Jobs of Justice: Towards a Christian Understanding of Punishment," in *Living in the LambLight: Christianity and Contemporary Challenges to the Gospel*, ed. Hans Boersma (Vancouver: Regent College Publishing, 2001), 177-99.

¹¹Donald X. Burt, *Friendship and Society: An Introduction to Augustine's Practical Philosophy* (Grand Rapids: Eerdmans, 1999), 185-6.

¹²L. Gregory Jones, *Embodying Forgiveness: A Theological Analysis* (Grand Rapids: Eerdmans, 1995), 13.

¹³Miroslav Volf, *Exclusion and Embrace: A Theological Exploration of Identity, Otherness, and Reconciliation* (Nashville: Abingdon, 1996), 294.

14Of course, one might argue that if the perpetrator repents, forgiveness rather than punishment should be forthcoming. The question is, however: whose forgiveness? A third party extending forgiveness on behalf of the victim is usually problematic, and it is hardly the judge's right to forgive a crime.

15B. Johnson points out that *mšpat* not only refers to the verdict of the judge, but can also have the connotation of saving or punishing righteousness, so that the word is at times used in parallel to the word *.fdaqa*. "tššift *mšpat*" in *Theological Dictionary of the Old Testament*, vol. 9, ed. G. Johannes Botterweck, Helmer Ringgren, and Heinz-Josef Fabry (Grand Rapids: Eerdmans, 1998), 93. The Pauline notion of *dikaiošune tou theou* likewise refers to God's covenant faithfulness, Compare N. T. Wright, *What Saint Paul Really Said: Was Paul of Tarsus the Real Founder of Christianity?* (Grand Rapids; Eerdmans, 1997), 93-111.

16Herrrn Bianehi, *Ethiek van het straffen* (Nijkerk: Callenhach, 1964), 47-63; Daniel W. Van Ness, *Crime and Its Victims* (Downers Grove: InterVarsity, 1986), 113-25; Christopher D. Marshall, *Beyond Retribution: A New Testament Vision for Justice, Crime, and Punishment* (Grand Rapids/Auckland: Eerdmans/Lime Grove, 2001), 35-95.

17Volf, *Exclusion and Embrace*, 221.

18Compare John H. Hayes, "Atonement in the Book of Leviticus," *Interpretation* 52 (1998): 10-2; E. P. Sanders, *Paul and Palestinian Judaism: A Comparison of Patterns of Religion* (Philadelphia: Fortress, 1977), 157-82.

19Deut 28:32, 36-7, 49-52, 63-68; 29:28; 31:16-22, 29. The Song of Moses that the Israelites are to sing (Deut 32) is to function as a self-indictment.

20Gordon McConville, *Grace in the End: A Study in Deuteronomistic Theology* (Grand Rapids: Zondervan, 1993), 65-122.

21Compare Joseph P. Braswell, "The Blessing of Abraham' versus 'The Curse of the Law': Another Look at Gal 3:10-13," *Westminster Theological Journal* 53 (1991): 73-91; N. T. Wright, *The Climax of the Covenant: Christ and the Law in Pauline Theology* (Minneapolis: Fortress, 1992), 137-56.

22The notion that on the cross Jesus took Israel's exile onto himself can be argued from (1) the fact that people in Second Temple Judaism commonly looked at themselves as still being in exile, (2) the lack of fulfilment of prophetic promises of restoration, and (3) the narrative logic of Pauline theology. Compare Craig A. Evans, "Jesus and the Continuing Exile of Israel," in *Jesus and the Restoration of Israel: A Critical Assessment of N. T. Wright's Jesus and the Victory of God* (Downers Grove, IL/Carlisle, UK: InterVarsity/Paternoster, 1999), 77-100; N. T. Wright, *The New Testament and the People of God* (Minneapolis: Fortress, 1992), 268-72; N. T. Wright, *Jesus and the Victory of God* (Minneapolis: Fortress, 1996), 268-74.

23Irenaeus, *Adversus Haereses* [AH] III. 18.7, in *Ante-Nicene Fathers*, vol. 1, ed. Alexander Roberts and James Donaldson (Peabody: Hendrickson, 1994), 448. Compare AH III.22.1-2; V.1.2, 14.1.

24See Mary Ann Donovan, "Insights on Ministry: Irenaeus," *Toronto Journal of Theology* 2 (1986): 82-5.

25On Irenaeus's understanding of recapitulation, see my "Redemptive Hospitality in Irenaeus: A Model for Ecumenicity in a Violent World, *Pro Ecclesia* 11 (2002): 207-26; Terrence L. Tiessen, *Irenaeus on the Salvation of the Unevangelized* (Metuchen, NJ: Scarecrow, 1993), 158-62; Gustaf Wingren, *Man and the Incarnation: A Study in the Biblical Theology of Irenaeus* (Edinburgh: Oliver and Boyd, 1959).

26See, e.g., AH III.18.7; V.1.1.

27Andrew J. Bandstra, "Paul and an Ancient Interpreter: A Comparison of the Teaching of Redemption in Paul and Irenaeus," *Calvin Theological Journal* 5 (1970): 43-63.

28Irenaeus, AH IV.8.2.

29By using the Irenaean notion of recapitulation, I am arguing that substitution does not mean that Christ suffered instead of others, but suffered on their behalf, as their corporate representative. Compare Marshall, *Beyond Retribution*, 61. I argue the case for representative punishment more comprehensively in my forthcoming book, *Hospitality, Violence, and the Cross: Contemporary Explorations in Atonement Theology* (Grand Rapids: Baker, 2004).

30Richard J. Mouw, "Violence and the Atonement," *Books & Culture* (Jan./Feb. 2001), 15.

31Ray attempts to overturn this argument by saying that many battered women return to increasingly dangerous relationships and that the notion of Christ's freely chosen obedience makes self-sacrifice normative for Christians. *Deceiving the Devil*, 58-60. But this argument proceeds on the assumption that battered women freely choose their dangerous relationships. Freely chosen relationships naturally imply moral responsibility. Ray's argument, therefore, cannot avoid assigning blame to the victim. The wrong attribution of free choice to the victim inadvertently revictimizes her.

32Anselm, *Cur Deus Homo* 1.9, translated in *The Major Works*, ed. Brian Davies and G. R. Evans (Oxford: Oxford University Press, 1998).

33G. C. Berkouwer cites these passages as indicating the voluntary character of Christ's suffering: Isa 53:7, 10-2; Mark 10:45; 15:23, 36; Luke 23:46; John 10:11, 15, 17-8; 13:1. *Het werk van Christus* (Kampen: Kok, 1953), 154-5.

34Irenaeus, AH IV.10.1. Compare Irenaeus, *Proof of the Apostolic Preaching* (New York: Paulist, 1952), 25, 27, 43-85; Tiessen, *Irenaeus*, 142-9.

35Gerhard Sauter comments on the relation between God's hope and our hope: "There is even God's hope: We are his hope because we are expected, like the prodigal son (Luke 15:11-32). God waits patiently and tirelessly for the transfiguration of human expectations to the confidence in God's promise and creative acting. God expects us to leave room for God's redeeming activity. On this hope rests our hope." "Our Reasons for Hope," in *The End of the World and the Ends of God: Science and Theology on Eschatology*, ed. John Polkinghorne and Michael Welker (Harrisburg, PA: Trinity, 2000), 214.

36Fretheim also refers to the "desiderative particles" in passages of lament (Ps 81:8; Isa 48:18; Deut 5:29) and to the pain of God's dashed hopes for a relationship with God's people (Isa 42:18, 23; 48:12, 18; 50:2; 65:12; 66:4; Mic 6:3). *The Suffering of God: An Old Testament Perspective* (Philadelphia: Fortress, 1984), 119.

37Compare Isa 1:14; Jer 44:22.

38Irenaeus, AH III. 16.6. Compare AH III.20.4; IV.20.8.

39Karl Barth, *Church Dogmatics* (Edinburgh: T&T Clark, 1956), IV/1, 211-83. Compare John Stott, *The Cross of Christ* (Downer's Grove: Intervarsity, 1986), 156-63; Miroslav Volf, "The Trinity Is Our Social Program: The Doctrine of the Trinity and the Shape of Social Engagement," *Modern Theology* 41 (1998): 403-23.

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Hans Boersma holds the Geneva Chair in Reformational Worldview Studies at Trinity Western University (Langley, BC). He is the author of several books, including *A Hot Pepper Corn: Richard Baxter's Doctrine of justification in Its Seventeenth-Century Context of Controversy* (1993).

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