

§ 7. Doctrine of Christ
Lecture 22
Satisfaction of Divine Justice

Today we want to turn to a new section in our study of the atonement on the satisfaction of divine justice. We have dealt with the central element of any Christian doctrine of the atonement which is penal substitution. We've seen that the objections to penal substitution which are based on either the definition of punishment or the justification of punishment are insufficiently nuanced and fail to show either any conceptual incoherence in the doctrine of penal substitution or any injustice in God's punishing Christ in our place.

A second element that any biblically adequate atonement theory must include is the notion of propitiation. In our first section we've in effect been dealing with the question of expiation – how our sin is paid for. But now we turn to propitiation which is the appeasement of God's just wrath against sin. The source of God's wrath is his retributive justice, and so the appeasement of wrath is a matter of the satisfaction of divine justice. We have seen that the satisfaction of divine justice takes place, not as St. Anselm thought, through compensation, but rather it takes place through penal substitution.

It might be objected to this that penal substitution could not possibly meet the demands of divine retributive justice. The objection here is not that penal substitution would be unjust or immoral (we already dealt with that question) but rather that it would simply be ineffectual. Punishing another person for my crimes would do nothing to remove my guilt according to this objection. So how can penal substitution possibly satisfy God's justice?

Once this question is contextualized within a broader [meta-]ethical theory like Divine Command Theory (as I argued it must be), then the objection becomes a little odd, I think we have to say. For on Judeo-Christian theism God is the Legislator, the Judge, and the Ruler of the moral realm. Unlike our American system of government where we have three separate branches of government with a separation of powers between the legislative, the judicial, and the executive branch, in God's case – in his government of the world – all three of these roles are rolled into one individual. God is the supreme Legislator, Judge, and Ruler of the moral realm. So if God determines that the demands of his justice are met by Christ's substitutionary punishment, who is to gainsay him? He is the source of the moral law, he is its interpreter, and its executor. The role of the legislator is to pass laws and determine what would be against the law. The role of the judiciary is to interpret the laws and to determine that justice is meted out for crimes committed, and then it is the role of the executive to administer that justice and make sure it is carried out. So if God is the supreme Legislator, Judge, and Ruler and he himself determines what meets the demands of justice then what is the problem supposed to be?

Let's turn to the alleged unsatisfactoriness of penal substitution.¹ Someone might say that if you say that God is the one who simply determines what satisfies the demands of his justice then God could have simply pardoned everyone's sins without the satisfaction of his justice. He could have just forgiven everybody by fiat and not required that his justice be satisfied. As we saw in our survey of church history, the early church fathers (for the most part) freely embraced this consequence, as did Thomas Aquinas and Hugo Grotius later on. These thinkers held that the satisfaction of divine justice was not, in fact, necessary for human salvation or the remission of sin. Nevertheless they held that God had good reasons for punishing Christ substitutionarily. As Abelard and Grotius both saw, the passion of the Christ is a powerful display of both God's love of people and his hatred of sin. It has proved powerfully attractive down through human history in drawing people to faith in Christ, especially as people themselves face innocent suffering.

God's pardoning sin without satisfaction would not necessarily imply universalism. Don't think that if God just forgave everybody of their sins or issued a pardon for everyone's sins that that would imply universal salvation. Because despite first appearances, God's pardon would still require (or could still require) free acceptance on the part of the pardonees in order to be efficacious. It may be that only in a world which includes the passion of the Christ would the optimal number of people freely come to embrace God's salvation and find eternal life. It is not at all implausible, I think, that a world in which the passion of the Christ is the means that God has chosen to achieve human salvation is a more effective means of doing so than a world in which he simply offers a free pardon without much cost or consequence. That might take on the appearance of cheap grace whereas a costly grace won only at the tremendous price of the passion of the Christ would be more effective in bringing men and women into a saving knowledge of God.

So one can freely grant, if one wishes, that it was not necessary that divine justice be satisfied in order for God to remit sins and achieve human salvation. That would not be a significant objection to this view.

Whether or not the passion was necessary, still penal substitution is supposed to satisfy divine justice. If this is the way that God has chosen to achieve human salvation, it is supposed to satisfy his justice. So we are still faced with the question: how can it do so? The response that I've given so far – that it is up to God what satisfies his justice; he is the one who determines – might seem to imply an account of satisfaction which is called *acceptation* among theologians. Acceptation is a theory that derives from the medieval theologian John Duns Scotus. Scotus maintained that God might have accepted any sacrifice he pleased as satisfactory for the demands of divine justice. No matter how trivial, God might have said, *Yes, that is enough; that satisfies my justice*, because he is

¹ 5:00

the one who determines what satisfies his justice. Defenders of penal substitution have not been sympathetic at all to acceptance theories like Scotus'. It would imply that God could have accepted as satisfactory to his justice the death of any ordinary human being on behalf of the human race or even the death of an animal like a goat or a sheep. But then it would not be true, as Scripture affirms, that "it is impossible that the blood of bulls and goats should take away sins" (Hebrews 10:4).² The objector to substitutionary satisfaction would find a sympathetic ear among penal substitution theorists if he affirmed that retributive justice, as we know and understand it, is essential to God's nature and so could not be satisfied by mere animal sacrifices. If we take retributive justice to be essential to the nature of God then mere animal sacrifices would not be enough to satisfy divine justice because it is also an axiom of retributive justice that the punishment must be proportional to the crime. So, for example, if a judge were to sentence a serial killer to twenty hours of community service for his murderous rampage, that would be a travesty of justice. That clearly would not satisfy the demands of justice. That would be a miscarriage of justice. The punishment has to be proportional to the crime if the demands of retributive justice are to be met. Therefore, acceptance theories, I think, would be rightly rejected by any theorist who thinks that retributive justice is essential to the nature of God and therefore demands a sacrifice or payment for sin that is proportional to its gravity. But then we are faced again with this question: how can the punishment of Christ satisfy the demands of God's retributive justice? To take away our liability to punishment, it would have to take away our guilt because if retributive justice is correct the guilty deserve punishment. Somehow the death of Christ – the substitutionary punishment of Christ – would have to take away our guilt if it is to free us from the demands of punishment. The question is: how does penal substitution take away guilt?

START DISCUSSION

Student: Didn't God tell Adam that the penalty for sin was death?

Dr. Craig: Yes.

Student: So it seems to me that death had to occur to be the penalty. Therefore, something of that magnitude would have to take place. He is saying that we deserve death. We deserve separation from him. We are no longer to be his children. So there has to be something of that magnitude to allow us access back to him.

Dr. Craig: What you are raising here is the really important question of the nature of the necessity of the satisfaction of divine justice. Clearly this isn't a sort of unconditional necessity that the passion of the Christ take place and the incarnation because it is not necessary that God create a universe at all. God could have just remained alone and not

² 10:09

created any universe. So there isn't any sort of absolute necessity that the incarnation and passion of Christ take place. Rather, the question is: given human sin and God's desire to save human persons, is then the satisfaction of divine justice necessary? People like Anselm and most of the Reformers would say yes. There is a kind of conditional necessity that attaches to the atonement – namely, given human sin and God's desire to save people then it is necessary that satisfaction for divine justice be made.³ I think what you are saying is that if we think of retributive justice as essential to God and that the punishment must be proportionate to the crime then this is a capital offense and therefore deserves death and that means that not any sort of animal or trivial sacrifice is going to be enough. That seems to me to be quite right.

Student: On that note, it seems like it would only be unsatisfactory if Christ were not truly man, truly god. For him to be man and to actually die and bear that punishment and to take that on. Anyone else could do that, but because of his human nature he did that. But also because of his divine nature he was able to take on and survive that death and come back to life. He took on the infinite punishment we were due.

Dr. Craig: This is exactly the position of St. Anselm and the Reformers – that the deity of Christ is required if adequate satisfaction is to be made because of the gravity of the crimes and that they belong to all of humanity for all of human history. Therefore it requires a god-man – someone who is both human and divine. The question is: how can that happen? How is it that the punishment of the god-man serves to satisfy God's justice for crimes that I've committed? That is the question that we are going to deal with.

Student: Hebrews 6:4 says, "For it is impossible for those who were once enlightened, and have tasted of the heavenly gift, and were made partakers of the Holy Ghost, and have tasted the good word of God, and the powers of the world to come, if they shall fall away, to renew them again unto repentance; seeing they crucify to themselves the Son of God afresh, and put him to an open shame." I think this passage is basically saying that when Christ died for our sin it is our identification or our admittance that he has taken the punishment for our sins. If we continue to sin we are crucifying him again and again. If we continue to deny the fact that he has done this substitution punishment for us then we are crucifying him again. God is caring about our conscience and agreement that the wages of sin is death and that my punishment is taken. It is that mindset; that understanding or realization saves us. We do not crucify Christ again and again by remaining in a sinful state.

Dr. Craig: This is a much, much disputed passage as to how it is to be understood. Does this teach that a genuinely born again regenerate Christian can lose his salvation by committing apostasy and denying Christ? Or is this talking about people who have

³ 15:06

simply been going through the motions of being a Christian but are in fact really unregenerate and so never had salvation in the first place? We are going to take that up when we get to the doctrine of salvation. We will talk about this question of whether or not a person can lose his salvation. But for now I don't think that we need to address that in dealing with the satisfaction of divine justice. What this would simply indicate is that if your punishment is not borne by Christ – if you reject Christ – then you are going to reject the payment that has been made on your behalf and there is no hope for you for salvation.

Student: It is the decision that brings us into the salvation that we identify with his substitution.

Dr. Craig: I'll say something more about that later on as well. That is a question of how we appropriate the benefits of Christ's atoning death. I don't think they are applied automatically. I think you are quite right in saying that we need to individually appropriate the benefits of Christ's death through faith and repentance. We will talk about that later as well.⁴

Student: In Genesis, did God say he would punish us for eating the fruit of the tree or that we would die as a consequence?

Dr. Craig: I didn't want to get into that! So I let that go by when someone said it was the penalty. I think you are quite right in saying that it is not clear in the Genesis passage whether death is the consequence of sin or whether it is the punishment for sin. I don't think that verse in isolation makes that clear. God simply says, *In the day you eat of it you will die*. Is that warning, *If you drink this poison you are going to die as a consequence?* Or is it saying, *If you do this wrongful thing I am going to punish you; this is a capital offense?* I would argue that when we look at the broader teaching of Scripture then I think it is evident that death is more than just a consequence of sin; that it is an actual punishment for sin. Remember what Paul says in Romans 1:32, "Those who do such things deserve to die," which is the essence of retributive justice. This is their just desert from God. So I think you are right in saying that proof text taken in isolation doesn't determine the issue.

END DISCUSSION

Let's go on to the next point which is responses to the alleged unsatisfactoriness of penal substitution. Remember I said that in order to take away our liability to punishment somehow Christ's substitutionary punishment must take away our guilt because it is in virtue of our guilt that we deserve punishment. In asking about the satisfactoriness of penal substitution, maybe we can get at this question by asking: how does punishment ordinarily serve to remove guilt? Or, alternatively, how does a pardon, for that matter,

serve to remove guilt? What takes away guilt? In criminal law guilt is determined or constituted typically by a wrongful act (which is called an *actus reus* in Latin) plus a blameworthy mental state (which is called the *mens rea*). The combination of a wrongful act and a blameworthy mental state is typically taken to constitute moral responsibility or just desert. If a person has committed a wrongful act and has a blameworthy mental state then he deserves punishment. His just desert is to be punished. It would follow that if guilt is something that is ineradicable and permanent then punishment could never take away guilt because punishment would never change the fact that someone committed a wrongful act nor that he had a blameworthy mental state. Punishment would do nothing to remove guilt. Guilt could never be removed. Therefore it seems to me what we have to do is to take the tense of the verbs here seriously. What we have to say is that a person who has committed a wrongful act and had a blameworthy mental state was guilty but in virtue of being punished for that crime he now no longer is guilty. Guilt is a property which can be temporarily possessed and taken away through either discharging your sentence by serving your sentence (fulfilling your just desert) or by a pardon which would cancel your punishment. So it seems to me that guilt is a property that is temporarily possessed by a person and that is removed through either punishment or pardon. So what is this property that we call guilt? It is very difficult to define. But it seems to me that it is most simply and plausibly understood to be simply liability to punishment.⁵ Guilt is liability to punishment. When a court finds a person guilty it is declaring that that person is liable to punishment. If you say he is guilty of murder, it means he is liable for punishment for murder. If you say he is guilty of theft, you mean he is liable to punishment for theft.

If we understand guilt to simply be liability to punishment then it is easy to see how punishment would take away guilt because one would discharge one's liability to punishment by serving one's sentence. In virtue of having served the sentence, one is no longer guilty.

That raises the question: why can't a substitute discharge my liability to punishment? The philosopher David Lewis suggests that our justice system is deeply conflicted about this question. He thinks that criminal law does not permit substitutionary punishment. But he says civil law does. Civil law is private law. Lawsuits between private properties suing for damages because of wrongful acts. In civil law, Lewis points out, we do accept penal substitution. For example, a friend can pay your fine for you if everyone is agreed to the arrangement. "Yet this is just as much a case of penal substitution as the others." Lewis rejects the view that these penalties are not really punishments. He says some of these fines can be just as burdensome as prison sentences—and, I think we can say, just as censorious. Indeed, sometimes punitive damages are assessed to a plaintiff. If we were

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single-mindedly against penal substitution, Lewis says, we would conclude that fines are an unsatisfactory form of punishment. I take that to mean in a literal sense. Fines would be unsatisfactory. That is to say, they would not satisfy justice's demands. Yet, Lewis says, we don't say that. We accept that fines are a satisfactory form of punishment even though they can involve penal substitution. Someone else can pay the fine on your behalf. Lewis summarizes in this paragraph. By the way, Lewis is not a Christian. He was an atheist or agnostic. He says,

If the rest of us were to make so bold as to rebuke the Christians for their two-mindedness, they would have a good *tu quoque* against us.

What is a *tu quoque*? This is a Latin phrase which means, "You, too!" or "The same to you!" or "What is sauce for the goose is sauce for the gander!" or "That is the pot calling the kettle black!" *Tu quoque* just means "same to you!" Lewis says if we criticize Christians for their belief in penal substitution, they have a "same to you" response available to them because in civil law we all accept penal substitution when it comes to fines. He says,

It indicates that both sides agree that penal substitution sometimes makes sense after all, even if none can say how it makes sense. And if both sides agree to that, that is some evidence that somehow they might both be right.

That is to say, they might both be right that penal substitution may sometimes satisfy justice's demands, which is just what the Reformers maintained.

So in civil law we do see examples of penal substitution in our justice system. Moreover, I think that Lewis was mistaken in thinking that we don't find this in criminal law. In fact, it seems that in criminal law as well there are examples of penal substitution. Remember we talked about vicarious liability where the crime of a subordinate is imputed to his superior so that the superior (usually an employer) comes to be vicariously liable for the deeds of his employee even though he did not do those deeds himself.⁶

In cases involving vicarious liability, you have the guilt of the subordinate imputed to an innocent superior. Both parties are held guilty for the wrongdoing which only the subordinate actually committed and either or both may be punished. But if the superior chooses to bear the full punishment for the crime then the subordinate will not and may not be punished for that same crime. The superior is punished for the crime, and that satisfies justice both for himself and for his subordinate. That looks for all the world to me like penal substitution.

START DISCUSSION

⁶ 30:15

Student: I was just thinking about this idea about the punishment should fit the crime and how much guilt do we have collectively to heap on Christ. I thought there was a great quote from Timothy Keller in the service this morning when he talked about that we are far more guilty than we would be willing to admit to sin and far more loved than we would be willing to understand. But on these crimes, you think about the intentional crimes that require both the *actus reus* and the *mens rea*, that would imply that the only sins would be intentional sins where we have the evil thought in our mind which in itself would be a sin but then we choose to act on it and act in an intentional way. But all through the law of the books of Moses there is a differentiation just like there is in our system between crimes that involve the *mens rea* and crimes that are called strict liability where even if you didn't know it was against the law or didn't mean to break the law it is still illegal. I am thinking of the guy when David was bringing the ark of the covenant back to the city and he reached out to touch the ark of the covenant to steady it so it didn't fall off the cart, and he was struck dead by God. That was a crime of strict liability. It didn't matter whether his intention was good or not. The crime of touching that item that was so holy was death. So even if we thought, *I've made it through my whole life without choosing to do anything wrong* (which is hard to imagine anyone could but let's just say someone could), there would still be all these other wrongful acts they've done without the *mens rea*. There is strict liability things like, for instance, having an evil thought, that we can't even possibly be in control of that have amounted to a huge sin debt that we have. This is far more than most of us probably would be ready to admit.

Dr. Craig: I'm not sure I agree with you about the evil thought not being an example of something that is intentional and blameworthy. But nevertheless your point is an excellent one. I want to recall to your memory when we talked about crimes of strict liability in this class. Remember we talked about a woman who is out shopping and some criminal sticks a handgun in her purse when she is not looking. Then she is discovered by the store or the police to be carrying this unlicensed firearm. She can be convicted for illegal possession of firearms even though she is entirely blameless. She does not have a blameworthy mental state, but this is a crime of strict liability as are, for example, possession of narcotics or sale of tainted food products or selling prescription drugs without a valid prescription. All of these are crimes of strict liability. So you are quite right in saying that while these may be sufficient conditions for guilt, they are not necessary for guilt. This is a great illustration of this philosophical distinction between sufficient and necessary conditions. These would be sufficient for guilt but they would not be necessary for guilt.

Student: I am sure there are attorneys in the room that can correct me if I'm wrong but the differential between civil cases and criminal cases (if I understand correctly) I don't think you are actually finding guilt in a civil case. You are finding liability, but you are not

finding guilt. Whereas in a criminal case you are finding guilt. Does that change the way you view the analogy?⁷

Dr. Craig: It could. On the civil case, say you are assessed some sort of damages that you have to pay because you have wronged the other party. Some would say this is just a penalty or a fee but you are not really being punished because you haven't been found guilty. As I say, Lewis just disagrees with that view. He says these penalties are just as burdensome as punishments (for example, imprisonment) and they are just as censorious (they also serve to express condemnation and censure in many cases – what was done was wrong). He, while recognizing that distinction, is critical of it. But the point I am making is that even if you grant that there is that distinction to be made nevertheless this notion of penal substitution appears in criminal law as well as in civil law. It is in cases which crimes are committed by employees in the course of their employment which are then imputed to their employer.

Student: But in that situation isn't that an indictment on the employer for failure to supervise or failure to train or something?

Dr. Craig: No. As I said before when we talked about vicarious liability in this class, this is not a case in which the employer is cited for negligence or recklessness or something else of that sort. In fact, here I do want to say a little bit more about what someone earlier said. This blameworthy mental state, as you know I'm sure, includes more than just intentional wrongdoing because there are crimes of omission like depraved indifference or reckless endangerment. Anybody who has watched *Law and Order* on television sees how McCoy will argue to get the accused on a blameworthy mental state that may not involve the intentional commission of a crime but he is guilty of depraved indifference or reckless endangerment. There are crimes that involve a blameworthy mental state even if it isn't an intentional state in that way. It can be a sin of omission.

Student: Some other examples that are noteworthy might be wrongful death lawsuits where there was an alleged commission of a crime and this was . . .

Dr. Craig: I think you are absolutely right. Think of the O. J. Simpson case. He was found innocent in the criminal case against him, but then he was found to owe, as you say, penalties for wrongful death in the civil case. It is the very same act that counts as a criminal act that is assessed these damages, for example for wrongful death. That would, I think, really show that these are punitive.

Student: Some other similar maybe not as profound but other examples might be product liability cases because the product liability has gotten so expansive that even if equipment was modified or the operator was acting aside from constraints or proper operating

procedure or whatever, manufacturers are still found liable for people getting hurt on equipment.

Dr. Craig: I don't know anything about that. That sounds to me like one of these cases of strict liability. I don't know. But that would be worth looking into, I think.

Student: This would be more of the same.

Dr. Craig: Yeah, another example.

Student: To the other point about not knowing about your sins, Psalm 19 says *who can know his sins?* There are things . . . we commit sins we don't even know about much less presumptuous ones and ones that occur in the course of activities.

Dr. Craig: Yes, certainly.

END DISCUSSION

OK. Good discussion. Let us conclude at this point.⁸