Restorative justice with Anselm

# The satisfaction theory of atonement offers my incarcerated students something the substitution theory does not: a way to make amends and be restored.

by Annelisa Burns in the April 2023 issue

(Illustration by Martha Park)

Ispend every friday morning in prison. I'm not incarcerated, but at 8 a.m. each Friday I flash my ID, sign in at the guard post outside East Moline Correctional Center, pass through the fence topped with barbed wire *and* razor wire, weave through the labyrinth that is the administration building, cross the yard strewn with exercise equipment and old-fashioned pay phones, and arrive at a classroom inside the education building. There I'll spend the next two hours teaching 12 incarcerated men how to read scholarly articles, write strong academic essays, and manage their time now that they're in their first semester of college. When my time is up, I repeat the process in reverse, hungry both for lunch and for next Friday to come so I can do

it all again.

Prison education programs are a type of restorative justice. They aim to heal the relationship between an incarcerated person and their community. More than two-thirds of former prisoners are rearrested within three years of being released, but the recidivism rate drops dramatically for those who earn degrees through prison education programs: only 14 percent of prisoners who earn an associate's degree are rearrested, 6 percent of those who earn a bachelor's degree, and zero percent of those who earn a master's. These numbers reflect what graduates of prison education programs across the country will tell you: that education is one of the best tools to ease reentry and therefore heal the bonds between the formerly incarcerated individual and their community. Education is also restorative justice in the sense that it attempts to heal the failure of the community to respond adequately to the humanity of incarcerated people before, during, and after incarceration.

The Augustana Prison Education Program allows incarcerated men at EMCC to earn a four-year BA degree by taking classes taught in prison by instructors like me. I'm also a seminarian, one of a few MA students in a sea of MDivs at my school. I've come to think of my role as an instructor as a type of ministry. When my classmates speak about their congregations, I think of my students. When they think of preaching, I think of teaching. When a professor asks how we would preach this bit of scripture or theology to our congregations, I consider how I would talk about it in class.

Such an occasion came up on the last day of one of the classes I taught. After the students turned in their final projects, we spent the rest of our time together reflecting on the semester, which had been their first college experience. Eventually, the students asked me about my own studies—any grad student's favorite question. I offered an abbreviated version of the work I'd been doing on atonement: trying to retrieve and distinguish Anselm's theory of satisfaction from the later, more Calvinist penal substitution theory.

"Instead of using the language of punishment and comparing God to a wrathful, vengeful judge," I concluded, "I see Anselm's understanding of satisfaction to be more about repairing a relationship between God and humanity. Because it's inevitable that we'll mess up, whether we believe that we are born evil or just that we're imperfect human beings, but God wants to be close with us, wants to forgive

us, wants us to repent, wants us not to be punished. It's like doing penance. God wants so badly to forgive us."

After letting that sink in, one student—the others call him "Deacon," I later learned—asked if the word *penance* was related to *penitentiary*. I was excited: he saw a connection I also see, between atonement theology and the prison environment we were sitting in. I asked the students if they thought the American criminal justice system allowed for penance, for making amends. Unsurprisingly, they said no. They talked about the stereotyping and dehumanization they experienced and about how unprepared they were for reentry. This was a system, they said, that prioritized punishment over any kind of rehabilitation, restoration, or reformation.

I find myself nervous about atonement. So much of the popular discourse, influenced by penal substitution, relies on the language of punishment and likens God to a vengeful judge. How will that resonate with people who have faced their own judges and live trapped in a system that practices retribution over restoration, punishment over penance? I've only glimpsed the inside of our country's criminal justice and prison systems, but I've seen enough to want my theology to have nothing in common with either.

Substitution theory relies on a punitive understanding of God's justice, and we don't need that in our theology; I certainly don't want it in my work with incarcerated people. While Anselm is often credited with birthing substitution theory, what he actually came up with is *satisfaction* theory, which emphasizes penance over punishment. And I'm convinced that a doctrine of atonement centered on penance can be a model for restorative justice work.

Anselm's satisfaction theory presumes a God of both love and justice. Abelard and others responded with moral exemplar atonement theories, which emphasize just God's love. But God's love and God's justice don't exist in opposition to each other. After much struggle, Martin Luther concluded that the phrase "the justice of God" doesn't refer to the punishment of sinners but rather to the gift of righteousness that God gives to us through the work of Christ. God's justice is not a threat; it's an act of love. And not the kind of tough love of a parent who harshly punishes their kids because it's good for them, but a love that declares that there is righteousness in our world because God gave it to us as such.

With all the injustices in the world today, we need a God who embodies both love and justice more than ever. I think satisfaction theory can offer such a God—without presenting justice as synonymous with wrathfulness and vengeance. We might benefit from removing the layers of penal substitution from its older, more loving predecessor satisfaction—because of satisfaction's emphasis on penance, which makes it a model of restorative justice.

Penal substitution has had a strong hold on much of American Protestantism throughout history—so much so that it has absorbed and superseded satisfaction. Much of the punishment language in penal substitution comes from theologians working within a legalistic framework. For instance, John Calvin writes that "God in his capacity as judge is angry toward us," so "man, who by his disobedience had become lost, should by way of remedy counter it with obedience, satisfy God's judgment, and pay the penalties for sin." In other words, when we sin we break God's rules; God forgives only after we are (or, Christ in our place is) punished.

This understanding of the atonement has far-reaching consequences. In *Rethinking Incarceration*, Dominique DuBois Gilliard argues that the church has "theologically legitimated mass incarceration" unwittingly through, among other things, atonement theory. Penal substitution is "inscribed within the United States criminal justice system" in the way that it promotes "penalties, retribution, and recompense," writes Gilliard, yielding the idea that justice "comes through indictment, sentencing, and punishment."

Bryan Stevenson goes a step further in his chapter in *The 1619 Project*. He argues that our country's obsession with punishment has origins in White supremacy. In the early days of law enforcement and criminal justice, Stevenson claims, threats of punishment were used to control Black Americans in order to protect White people's power. This emphasis on punishment links substitutionary atonement theory with White supremacy, a connection embodied by the criminal justice system.

Satisfaction and substitution begin with the same idea: sin alienates us from God, so Jesus dies *in our place* in order to bring us to be at one with God. The difference lies in what is meant by "in our place" (or "for us" or similar language). In substitution theory, it means Jesus takes on a punishment intended for us. In satisfaction theory, it means Jesus does penance on our behalf. Penance is not punishment. It isn't easy, but neither is it assigned for the sake of pain or retribution.

Instead, penance is about making amends, specifically with God, in order for reconciliation to occur. In the Catholic Church, the sacrament of reconciliation begins with the penitent's confession and then the priest assigns an act of penance. After the penitent prays an act of contrition, the priest, as a vessel of God, absolves the penitent. This process may be experienced as a sort of trial, but penance differs from a typical trial in that the emphasis is on healing and repair, not punishment.

This distinction points to another: the characterization of God. A God who demands punishment is easily seen as a vengeful judge; a God who demands penance can more readily be understood as someone who wants to heal or restore a broken relationship. Unlike substitution, satisfaction is relational: it focuses on repairing our relationship with God. The God who emerges from satisfaction theory isn't angry because we broke a rule but rather injured because we didn't render to God all that is due. This is a God who embodies both justice and love.

Is God an angry judge or an injured party? Does God demand that we be punished? Or that we repent and do penance? Just as substitutionary theory is linked to retributive incarceration systems, satisfaction theory may be mapped onto restorative justice processes. When wrongs are done against justice, satisfaction theory posits that penance is needed rather than punishment. And penance is a lot closer to restorative justice than retributive justice.

Gilliard defines restorative justice as any form of justice "that produces healing, forgiveness, and reconciliation." The approach has grown since its origins in the 1970s. A restorative justice process may take the form of a face-to-face meeting between the person who was harmed and the person who harmed them, facilitated by a trained professional. It may also be done through writing letters, using a proxy, or other means that avoid in-person contact. Both sides must consent to the process and can pull out at any point. It can take place when a case doesn't go to court; it can also take place after a conviction, including while the perpetrator is in prison. It can be used for any type of crime and category of offender, but it is most commonly applied in cases involving juveniles.

For example, the King County Juvenile Court in Washington State used a restorative justice process when a 15-year-old boy with no previous criminal history used a BB gun to steal a pair of shoes from another teenager. The county held a peacemaking circle with the boy, his family, victims' advocates, school officials, and lawyers to talk about the robbery's impact. The boy wrote an apology letter to his victim and

reengaged in school; he was also sentenced to 12 months of probation, ongoing accountability to his peacemaking circle, and community service—instead of two years in prison and a felony record. Restorative justice can also take other forms, such as reparations, reentry programs, prison education programs, and other services that prioritize healing over punishment.

Retributive justice says you need to be punished because you broke a law; restorative justice says you need to work toward healing because you damaged a relationship. The former sounds like substitution, in which the law functions as a mediator between two parties. The latter sounds like satisfaction, because it does its best to remove third parties in order to directly address the relationship between the offender and the offended.

This has important implications for understanding the consequences of sin: Is sin the breaking of a rule or the damaging of a relationship? How we answer this question says a great deal about how we seek repair.

Restorative justice's emphasis on repairing relationships is key for the person who needs to be forgiven. Many of the incarcerated men who apply for our prison education program see education as the next step in their self-appointed restoration process. In their application essays and admissions interviews, they talk about ways that they've done the work, gone to counseling, and changed their lives. We ask them what they think college will be like, and they answer that it will be an "exciting turning point," an "opportunity to change their circumstances" because having college credits will change people's perceptions of them and "make people smile." They talk about their children and wanting to make them proud. Most importantly, they want us—their potential future educators—to know that they are ready (and sometimes already starting) to make amends. While all of these men are at different points in their journey of healing, they are all excited for the ways education can help them move toward forgiveness.

Forgiveness asks a lot, however, of the person who has been wronged. In the satisfaction model of atonement, just as in the sacrament of penance, the forgiver is God, who is infinite in mercy. We humans are more limited, and the question of forgiveness becomes more complicated. It's hard to ask a woman to forgive her rapist or a parent to forgive his child's murderer—whether it's the offender asking directly or the system of restorative justice suggesting it. This is one of the main criticisms of restorative justice processes. How can forgiveness be obtained without

causing further harm? What if the forgiveness needed for the offender to heal costs too much for the offended?

The kind of forgiveness that leads to healing might not be possible in the lifetime of the one who needs to be forgiven or the one who needs to forgive. But while individuals cannot be infinitely merciful, God can—and legal systems can be built around a model of infinite mercy and justice that is more like God's, promoting the healing of the relationship between the individual and the system itself. Doing so helps prevent forgiveness from becoming a tool for manipulation or something the victim feels obligated to give.

Atonement theory asks what can be done to make humans at one with God again. The satisfaction model posits that we need to heal the relationship through continuous repentance on our part and forgiveness on God's. This healing is, in a way, like paying a debt of honor, to use Anselm's language: "For as one who imperils another's safety does not enough by merely restoring his safety, without making some compensation for the anguish incurred; so he who violates another's honor does not enough merely by rendering honor again, but must . . . make restoration in some way satisfactory to the person whom he has dishonored."

Paying a debt of honor means restoring respect and rendering to others what is their due. The goal of restorative justice is not to return to business as usual but to create a new, healthier relationship. Relationships are not static; they are always shifting and evolving. This is one reason restorative justice is difficult—and one reason why the language of penance can be helpful. Satisfaction atonement theory is about not getting God off of our backs but bringing us closer to God. It's about a stronger relationship, not returning to a baseline.

Restorative justice does not overlook the gravity of the offense. In asking the victim what they need, restorative justice is reciprocal. Both sides need to be satisfied and walk away from the process perceiving the potential for healing. Fulfilling this goal is not easy.

Penance is not meant to be easy, either. It is not even a single act—it is ongoing. It is a life of making amends, of repentance, while simultaneously a life of being forgiven. We need atonement because our nature cannot let us be estranged from God, so we must continually practice repentance. God, on the other hand, needs our participation to heal the relationship. Satisfaction atonement theory means we are

always repenting and God is always forgiving.

I am struck by the strength of the relationships my incarcerated students form with each other—like the student who volunteers to push his wheelchair-bound classmate to every class—and with us, their instructors. Some of the students look forward to coming to our main campus to continue their education after their release. One wants to use his degree in communications to become a youth counselor and start his own program to help troubled teenagers. Another, who wants to start a sustainable indoor farm, is using his new skills to write a convincing, well-organized business plan. Another is unpacking his trauma by writing poems, which he hopes to publish. These students model restoration every day. Their penance isn't being stuck in prison; it's the work that they do in the classroom and that they plan to do when they're released.

A God of love and justice doesn't want us stuck in prison, being infinitely punished; God wants us doing penance and practicing infinite restoration. If Anselm seeks a God of love and justice, he need look no further than these students.

My point is not to suggest that satisfaction is the one atonement theory we should all subscribe to. It certainly has its problems. Anselm assumes the doctrine of original sin, which many Christians now take issue with. And many people object to the fact that satisfaction and substitution alike present God as asking for a bloody, violent death, whether it's as penance or as punishment.

Rather, I offer satisfaction specifically as a lens through which to view justice—because it has something to say about the justice of God, especially when contrasted with substitution. If the lens of penal substitution contributes to our current, retributive justice system, then perhaps the lens of satisfaction—with its emphasis on healing, relationships, and penance—can promote something better.

As we finished our brief sojourn into substitutionary and satisfaction atonement theories that last day of class, Deacon said, almost wistfully, "I wish more people believed that stuff about forgiveness."

"Me too," I replied.

His comment clarified for me that no matter how progressive our atonement theories are, no matter how much they center love instead of violence, the ethos of punishment over penance is still present in our world—especially in how we talk about incarceration. Just as we long to be reconciled with God, my students long to

be reconciled and restored. The difference is that, according to satisfaction theory, God gave us a vehicle for restoration through penance. Punitive criminal justice systems offer no such vehicle.