

Divine Forgiveness and Mercy in Evolutionary Perspective

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From Hill and Holtzen eds. *Connecting Faith and Science: Philosophical and Theological Inquiries*

Introduction

In Abrahamic scriptures, God is often portrayed as both wrathful and just—a God who punishes the unrighteous and impure out of wrath and to satisfy the demands of justice.

According to many in these traditions, the bad news is that all are unrighteous and all are impure, thus all deserve God’s wrath and punishment. In many strands of the Christian faith in particular, this is the context in which the good news arrives: that someone else, a perfect substitute, has absorbed God’s wrath or the punishment that humankind rightfully deserves or the death that is the proper repayment for human sin.¹

Importantly, this cluster of views requires that God’s wrath is *moral* wrath: wrath that is ignited by sin and that aims to consume impurities and satisfy the demands of justice. What kind of justice? On a natural reading of many texts, God’s wrath appears to be aimed at *retributive* justice, as opposed to *restorative* justice or *distributive* justice. God’s wrath is primarily aimed at giving sinners what they *deserve* irrespective of the overall *consequences* of inflicting that wrath (restoration, rehabilitation, deterrence, etc.). In other words, God’s wrath is primarily a mechanism of debt collection rather than a mechanism for generating future returns. On this model, it is unavoidable that God’s wrath is understood from within an economy of exchange within which each transgression is a debt that demands proportional repayment. This is what I will call *the system of payback*. Moreover, satisfying the requirement of payback via substitution

¹ Among Abrahamic traditions, it is notable that Islam rejects substitution almost entirely. See e.g. John R. W. Stott, *The Cross of Christ* (Madison: Intervarsity Press, 1986), 45–46.

must also be understood from *within* this system. The substitute pays the debt we sinners owe in accordance with the rules governing the system of payback.

To many, this understanding of humanity's relationship to God seems as natural and inevitable as the rising and setting of the sun. Nevertheless, closer scrutiny reveals deep mystery: by what moral alchemy does the suffering of the wronged coupled with the punishment of the wrongdoer transmute into a morally good occurrence? Why would God operate within such a system? Why would God be bound by the requirements of retributive justice? Why should God care about giving people what they deserve? At its root, retributive justice is concerned with proportional "pay back" for transgressions or "balancing the scales." Despite the intuitive nature of these metaphors, it remains mysterious why anyone should care about payback or balance of this kind. It is hard to say why seeking payback is more reasonable than the alternative of letting bygones be bygones, leaving the past in the past, and instead promoting better outcomes in the future.²

While these are deeply interesting questions, my main aim is not to argue for a satisfactory answer, but instead to dissolve them. In this essay, I explore the implications of prominent evolutionary explanations of payback, which exacerbate some of these questions. These explanations cast retribution as a product of the evolutionary pressures for self-protection that shaped our ancestors, rather than an objective moral truth.³ Moreover, the system of payback functions to constrain the negative effects of our evolved psychology. As a result, this scientific

² This is not to mention various puzzles about how desert claims could be satisfied by a substitute, since they ordinarily track individuals. See e.g. David Lewis, "Do We Believe in Penal Substitution?," *Philosophical Papers* 26.3 (1997): 203–9. See also Steven L Porter, "Rethinking the Logic of Penal Substitution," *Philosophy of Religion: A Reader and Guide*, (ed. William Lane Craig; Rutgers: Rutgers University Press, 2002), 596–608; Mark C Murphy, "Not Penal Substitution but Vicarious Punishment," *Faith and Philosophy* 26.3 (2009): 253–73.

³ Perhaps this could be better put in terms of "stance-independent moral truth." See e.g. Russ Shafer-Landau, *Moral Realism: A Defence* (Oxford: Oxford University Press, 2003).

picture of human evolution may require a kind of Copernican shift in the way Christians understand the Good News of Jesus' atonement for human transgressions. The shift is away from a specific way of understanding Jesus' substitution for sinners: on which the substitution is morally justified from within the system of payback. The shift is toward a view of substitution from outside the system of payback. On this view, the good news should not be understood as a moral transaction within it. Rather, our bondage to the system itself is the bad news, and the good news is that God has created an ingenious way out. Though the view from within the system may be as apparent as the rising of the sun, it may be equally inappropriate to take such appearances as reality.

Substitutionary Atonement

Let us start with the bad news as many understand it.⁴ Put simply, it is that “all have sinned,” and “the wages of sin is death.” Moreover, the traditional story goes that this debt is infinite in measure because our sins are against God who is infinitely good and these debts also separate us from relationship with God, which is the ultimate good for humankind. Finally, there is no way that sinners can pay for their sins or reconcile themselves to God through their own efforts. The debt incurred is infinite and our resources are finite, so we appear to be irretrievably mired in our debts.⁵ The only way we can be saved is for someone to pay these debts on our behalf and for God to forgive our sins and restore relationship with us.

⁴ Stott (*The Cross of Christ*.) gives a particularly clear and well-reasoned articulation of this view of the atonement and the scriptural case on which it is founded.

⁵ Traditionally, the result of this is thought to be eternal condemnation in hell. For a discussion of divine retribution as it pertains to Hell, see Isaac Wiegman, “Divine Retribution in Evolutionary Perspective,” *In Spirit and Truth: Philosophical Reflection on Liturgy and Worship*, (ed. Curtis Holtzen and Matthew Hill Claremont, CA: Claremont School of Theology Press, 2016), 181–202.

On this view, the good news is that Jesus has in some sense paid off our debt and made it possible for God to forgive our transgressions. In this matter, Jesus is our substitute, taking responsibility for the debts that we owe or absorbing the wrath or accepting the punishment that our sins deserve. Regardless of how substitution is understood (e.g. penal or otherwise), the underlying similarity is that Jesus takes responsibility for our sins and his suffering and death thereby absolve us from what we deserve or what we owe. On this cluster of views, Jesus' death is supposed to be a justifiable moral transaction.⁶ Moreover, these views understand this transaction as necessary for either relational or impartial reasons. On the one hand, it is necessary to restore right relationship with God through forgiveness. On the other hand, it is necessary to change one's status, either through justification of some claim of justice or satisfaction of some moral claim concerning honor or desert.

Relational Atonement and Forgiveness

Consider the relational side first. Forgiveness is one way of restoring relationships after a transgression by relinquishing or revising one's attitudes toward a transgressor, attitudes such as anger, resentment, hurt feelings, or character evaluations. In the context of the atonement, Jesus death is supposed to be necessary for forgiveness in some sense. If so, it is natural to ask why God cannot just forgive us without payment?

The traditional response to this question is that forgiveness without payment would be inappropriate because of the seriousness of sin and because of the majesty of God. Such a response has a great deal of initial plausibility, especially when one considers recent philosophical discussions surrounding forgiveness. In these discussions, forgiveness is taken to

⁶ I take it that the relevant cluster includes both penal substitutionary theories and satisfaction theories of the atonement.

be distinct from several other ways of revising one's attitudes (anger, resentment, etc.) toward a wrongdoer. As an example, consider that victims of abusive relationships will sometimes regulate their attitudes toward abusers by diminishing the abuser's responsibility for abusive actions ("she has been under a lot of stress lately") or accepting the abusive action ("I deserved that") or denying that the abuser's actions are abusive ("it didn't even leave a mark"). In none of these cases is the victim truly *forgiving* the abuser. As Pamela Hieronymi points out, one forgives under the following assumptions: (1) that the action was wrong, (2) that the agent was responsible, and (3) that the victim ought not to have been wronged. If this is right, then the seriousness of sin and the majesty of God are relevant to questions about forgiveness, because they reflect a basic commitment to the assumptions under which forgiveness operates. This puts a sharp point on the challenge of forgiveness more generally, which is to explain how one can change one's feelings toward a person while holding onto these assumptions.

Nevertheless, in ordinary cases of forgiveness, it seems perfectly consistent to forgive without proportional repayment. One way to think about this utilizes the metaphor of "wiping the slate clean."⁷ When someone transgresses, their "slate" or record is marred by their transgression in that the transgression reflects on both their character and their relationship to the person they have wronged. When the wronged party wipes the slate clean, they make a choice to no longer identify the transgressor with the transgression. But if this view of forgiveness is correct, there is no obvious connection between forgiveness and payment. Though the action was wrong and the wrongdoer responsible for it (etc.), victims of transgression can still choose to break the connection between the transgression and their attitudes toward the wrongdoer without exacting any penalty. Apparently, one can make a decision and commit to the following view of the

⁷ Lucy Allais, "Wiping the Slate Clean: The Heart of Forgiveness," *Philosophy and Public Affairs* 36.1 (2008): 33–68, doi:10.1111/j.1088-4963.2008.00123.x.

transgressor: “it was wrong that he lied and I deserved better, but he is not really a liar nor will I continue to resent him for it.”

The traditional response could be built up in several different ways at this juncture to explain the necessity of repayment, but my interests here do not hinge on the specific ways this view could be developed.⁸ The point I want to make is merely that appeals to the seriousness of sin and the majesty of God actually presuppose that payment is required for forgiveness. The weight of transgressions is irrelevant to forgiveness unless one assumes there is a scale that must be balanced before the slate can be wiped clean. As such, we can only answer the original question (of why God cannot wipe the slate clean without repayment), if we already have some reason to believe that such payment is required. But in discussions of this issue, such reasons are not forthcoming.⁹ Rather, it is just *intuitively obvious* to some people that serious transgressions require some kind of repayment prior to forgiveness. Rather than rebutting various ways of defending this intuition, I suggest in section 3 that aspects of our evolved psychology allow us to *explain away* the necessity of repayment, by explaining this intuition.

Impartial Atonement and Penal Substitution

In the domain of punishment and mercy, it is equally clear that we believe repayment is necessary in large part because it seems intuitively obvious.¹⁰ We can see this by asking why punishment might be necessary to satisfy the demands of justice or to pay the debts that accrue to sin. This is an issue on which the Bible appears to remain almost completely silent. Instead, the Bible systematically *assumes* throughout that the righteousness or justice of God *means that* God

⁸ For a detailed discussion of this and related issues, see Lucy Allais, “Wiping the Slate Clean”.

⁹ See e.g. Stott *The Cross of Christ*, chap. 4..

¹⁰ See for instance, Michael S Moore, *Placing Blame: A Theory of the Criminal Law* (Oxford: Oxford University Press, 2010), chap. 4. for a defense of retribution that is ultimately based on intuition.

will punish the wicked and reward the righteous. As Peter Enns notes, this apparent in God's covenant with the Israelites (e.g. Deuteronomy 28) and in much of the wisdom literature of the Old Testament (e.g. Proverbs 3:33-35).¹¹

There are a number of deeper reasons why justice might require the dispensing of rewards and punishments as "just deserts." I can think of only two that are relevant to substitutionary atonement.¹² One reason can only be explained by invoking a metaphor of balance. On this view, justice means trying to balance each person's consequences (e.g. rewards and punishments) with their actions. Perhaps one could claim that this kind of "karmic" balance is just a fundamental truth about the nature of justice which cannot be further explained.

But one might also attempt to give it a further explanation in terms of *goodness*, which brings us to the second reason. As Kant maintained, one might think that the "highest good" is "happiness in accordance with virtue," meaning that good outcomes would be apportioned to the virtuous and bad outcomes would be apportioned to the vicious. Why might this be the highest good? At this point, the lines of justification begin to "bottom out." For Kant, this is just a basic

¹¹ Peter Enns, *The Sin of Certainty: Why God Desires Our Trust More than Our "Correct" Belief* (New York: HarperOne, 2016), 82.

¹² Four rationales for punishment are irrelevant here. First, God may threaten to punish the wicked in order to deter bad behavior. If this is the rationale, then punishment is a way of maintaining the credibility of the threat (see e.g. Warren Quinn, "The Right to Threaten and the Right to Punish," *Philosophy & Public Affairs* 14.4 (1985): 327-73.) But this reason for punishing actually has little to do with justice, since punishing an innocent can also maintain the credibility of a threat if everyone believes the person to be guilty. Second, God may punish to signal solidarity with the wronged or oppressed, but Jesus' punishment in place of the oppressor would do little to convince the oppressed that God sides with them *against* the oppressor. Substitutionary punishment is not well understood as an action that opposes an oppressor. Third, God might punish to communicate moral censure or disapproval of our actions (see e.g. Anthony Duff, *Punishment, Communication, and Community* (Oxford: Oxford University Press, 2001).) and perhaps this is one reason why Jesus' punishment in our place might be effective. Nevertheless, this notion of substitution fits better with a moral improvement model of substitution than with the substitutionary views that are my focus here. The effect of punishment on this understanding would be an increased awareness of God's attitude toward our sin ("this is how much I disapprove of your sin"), rather than the kind of *justification* of the sinner that, for instance, penal substitutionary views attempt to capture. Fourth, God might punish to restore or enforce fairness, but it seems flatly contradictory to suppose that substitutionary punishment could be cast as restoring fairness. Surely punishing a substitute instead of a transgressor is a paradigmatic case of unfair action

intuition about goodness. There appears to be little more to say than that it seems intuitive and fitting that virtuous people should get good things and that vicious people should get bad things.

However, if we ask why this seems fitting, we might simply say that it is good to love the good and to hate the bad and that hating the bad (for instance) entails apportioning bad outcomes to people who are disposed to do bad things, namely the vicious.¹³ But we can ask a still further question of why hating the bad requires giving them bad things. Why isn't it enough to simply prevent vicious people from doing bad things in the future and let the past remain in the past? It is easy to see that this line of questioning has gotten us no further in justifying the requirement that bad deeds or vicious people be repaid in suffering or hard treatment.

For my purposes here, what is important is that the main lines of justification for the necessity of payback appear to bottom out in intuition. In the following section, I make the case that our most basic intuitions on this matter probably derive from some of our most basic emotional responses which have been shaped by our evolutionary history.

The System: Desert, Forgiveness and Grace in Evolutionary Perspective

In the following three sections, I defend the following claims: First, emotions like anger, shame, and guilt explain our intuitions about the necessity of repayment. Second, these emotions evolved in part for self-protection. Third, one primary function for social systems of repayment (including norms regarding revenge, sacrifice, and blood money) is to constrain the negative effects of these emotions.

Emotions Explain Repayment Intuitions

¹³ For a related discussion of virtue and desert, see Thomas Hurka, "The Common Structure of Virtue and Desert," *Ethics* 112.1 (2001): 6–31, doi:10.1086/339141..

Above, the focus has been on the phenomenon of repayment for past transgressions. Such repayment can take many forms, but perhaps the most paradigmatic variety of repayment is retributive punishment.¹⁴ The very etymology of the word “retribution” reflects the concept of payback, as do philosophical and psychological understandings of retribution. In philosophy, retributive justifications for punishment are contrasted with utilitarian (or more aptly, consequentialist) justifications. Whereas utilitarian justifications tend to be *forward-looking*—appealing to the beneficial outcomes of punishment (e.g. deterrence, rehabilitation)—retributive justifications are *backward-looking* – appealing to the nature of the past offense, and apportioning punishment to “fit the crime.” In the context of punishment, the notion of fit is typically understood in connection with “just deserts”: the punishment that transgressors *deserve* is justified in the sense that it “fits” their transgressions.

Importantly, philosophers who defend retributive justifications for punishment sometimes refer explicitly to emotions like anger and guilt.¹⁵ Beliefs about the fittingness of punishment in response to past transgressions are justified in part because our feelings of anger and guilt testify to its fittingness. For instance, anger is sometimes a fitting response to injustice, and it motivates a retributive response to injustice. Likewise guilt is sometimes a fitting response to one’s own transgressions,¹⁶ and it motivates guilty parties to accept punishment.¹⁷

¹⁴ There may be a variety of distinct punishment phenomena with distinct underlying motivations. For instance, contempt and disgust may motivate punishments such as ostracism or exile. See e.g. Paul Rozin, Laura Lowery, and Jonathan Haidt, “The CAD Triad Hypothesis: A Mapping Between Three Moral Emotions (Contempt, Anger, Disgust) and Three Moral Codes (Community, Autonomy, Divinity),” *Journal of Personality and Social Psychology* 76.4 (1999): 574–86, doi:10.1037/0022-3514.76.4.574. For the sake of simplicity, I focus on retributive punishment, which is substantially linked to anger and guilt.

¹⁵ See e.g. Walter Berns, *For Capital Punishment: Crime and the Morality of the Death Penalty* (New York: Basic Books, 1979); Justin D’Arms and Daniel Jacobson, “Sentimentalism and Scientism,” *Moral Psychology and Human Agency: Philosophical Essays on the Science of Ethics*, (ed. Justin D’Arms and Daniel Jacobson; Oxford: Oxford University Press, 2014), 253–78.

¹⁶ Moore *Placing Blame: A Theory of the Criminal Law*.

¹⁷ Peter DeScioli and Robert Kurzban, “Mysteries of Morality.,” *Cognition* 112.2 (August 2009): 281–99, doi:10.1016/j.cognition.2009.05.008.

In psychology, an extensive body of research suggests that the focus on just deserts is the main motivator for punishment. Though people often state that deterrence is their main concern in punishing, their decisions about punishment are better predicted by retributive considerations.¹⁸ For instance, John Darley and Kevin Carlsmith have published a considerable body of evidence that when assigning punishments to hypothetical criminal offences, experimental participants attend almost exclusively to indicators of desert (e.g., the seriousness of the crime) rather than deterrence. These results are robust even when participants are asked to focus exclusively on the deterrent effects of punishment. Moreover, Carlsmith and others find that the severity of punishments correlates with ratings of moral outrage at the given crime.¹⁹ In effect, payback motives are deeply rooted in human psychology and they manifest themselves in decisions regarding punishment.

Evolved Emotion and Self-Protection²⁰

There is a substantial body of research and theory suggesting that motives for giving and receiving payback are aimed at deterrence and include emotions of anger and guilt (among

¹⁸ Jonathan Baron and Ilana Ritov, "Intuitions about Penalties and Compensation in the Context of Tort Law," *Journal of Risk and Uncertainty* 7.1 (1993): 17–33; Jonathan Baron and Ilana Ritov, "The Role of Probability of Detection in Judgments of Punishment," *SSRN Electronic Journal* 1.2 (2009): 553–90, doi:10.2139/ssrn.1463415; Kevin M. Carlsmith, "On Justifying Punishment: The Discrepancy Between Words and Actions," *Social Justice Research* 21.2 (May 3, 2008): 119–37, doi:10.1007/s11211-008-0068-x.

¹⁹ John M Darley, Kevin M Carlsmith, and Paul H Robinson, "Incapacitation and Just Deserts as Motives for Punishment," *Law and Human Behavior* 24, no. 6 (2000): 659–83, doi:10.1023/A:1005552203727; Kevin M Carlsmith and John M Darley, *Psychological Aspects of Retributive Justice, Advances in Experimental Social Psychology*, vol. 40, 2008, doi:10.1016/S0065-2601(07)00004-4; Kevin M. Carlsmith, John M. Darley, and Paul H. Robinson, "Why Do We Punish?: Deterrence and Just Deserts as Motives for Punishment.," *Journal of Personality and Social Psychology* 83.2 (2002): 284–99, doi:10.1037//0022-3514.83.2.284; Kevin M. Carlsmith, "The Roles of Retribution and Utility in Determining Punishment," *Journal of Experimental Social Psychology* 42.4 (July 2006): 437–51, doi:10.1016/j.jesp.2005.06.007.

²⁰ The ideas in this section owe a great deal to the work of David P Barash and Judith Eve Lipton, *Payback: Why We Retaliate, Redirect Aggression, and Take Revenge* (Oxford: Oxford University Press, 2011).

others). Consider first the claim that payback is an adaptation for deterrence. To think about the nature of payback motives, Robert Frank considers a situation like the following:

Deterrence. Suppose Smith grows wheat and Jones raises cattle on adjacent plots of land. Jones is liable for whatever damage his steers do to Smith's wheat. He can prevent damage altogether by fencing his land, which would cost him \$200. If he leaves his land unfenced, his steers will eat \$1000 worth of wheat. Jones knows, however, that if his steers do eat Smith's wheat, it will cost Smith \$2000 to take him to court...Smith threatens to sue Jones for damages if he does not fence his land. But if Jones believed Smith to be a rational, self-interested person, this threat is not credible. Once the wheat has been eaten, there is no longer any use for Smith to go to court. He would lose more than he recovered.²¹

One strategy to resolve Smith's dilemma is to convince Jones that he is a vengeful person and that he will take Jones to court even if he stands to lose money by doing so. The thought is that a motive for payback plays this very role by committing people to courses of action that are spiteful in the short run. Nevertheless, in the long run, this motive leads to a reputation for vengefulness that deters future offenses. So on this picture, payback motives function to create a reputation for vengefulness that deters future transgressions.

While deterrence is the function of these strategies, deterrence cannot be the agent's immediate aim in punishing. This is because the short term cost of punishment will almost always eclipse the long term benefits of deterrence (in shortsighted organisms, at least), making organisms incapable of reaping those benefits. This is why the motivational structure of payback

²¹ Robert H Frank, *Passions Within Reason: The Strategic Role of the Emotions*. (New York: Norton, 1988), 48, doi:10.2307/2072516.

motives must be backward-looking in that they aim to punish *past* provocations in a way that is somewhat insensitive to immediate gains.

Apparently, humans do have such a motive, and that motive is anger. Several lines of behavioral evidence to this effect come from research in behavioral economics, in which participants forgo monetary rewards in order to punish those who violate fairness norms. For instance, in public goods games, players will take on monetary costs to punish freeriders (those who benefit from the investments of others without paying any cost themselves).²² Moreover, punishers report feelings of anger at the free riders and they punish even when interactions are not repeated and even at the end of the last round of the game (after which no one will benefit from the punishment). Clearly, participants in these and other games place some value on payback, and these payback behaviors have been explicitly linked to anger and moral outrage.²³

If we look even further back in our evolutionary history and further out in the animal kingdom, the dominant punishment strategies in animal societies are ones that deter future transgressions by “teaching” transgressors to desist (though not necessarily via reputation).²⁴ Moreover, these punishment strategies plausibly require a motive like anger to implement, for the very reasons given above (the long term benefits of punishment are eclipsed by short term costs).

Whereas anger motivates punishment of various kinds, evolutionary theorists suggest that emotions like shame and guilt attempt to mitigate punishment through appeasement. For

²² Ernst Fehr and Simon Gächter, “Altruistic Punishment in Humans.,” *Nature* 415.6868 (January 10, 2002): 137–40, doi:10.1038/415137a; M a Nowak, K M Page, and K Sigmund, “Fairness versus Reason in the Ultimatum Game.,” *Science (New York, N.Y.)* 289.5485 (September 8, 2000): 1773–75.

²³ Joydeep Srivastava and Francine Espinoza, “Coupling and Decoupling of Unfairness and Anger in Ultimatum Bargaining” 489, no. December 2008 (2009): 475–89, doi:10.1002/bdm; Rob M A Nelissen and Marcel Zeelenberg, “Moral Emotions as Determinants of Third-Party Punishment : Anger , Guilt , and the Functions of Altruistic Sanctions” 4.7 (2009): 543–53.

²⁴ T H Clutton-Brock and G A Parker, “Punishment in Animal Societies,” *Nature* 373.19 (1995). Though I do not mean to imply that this is the only function of anger.

instance, shame in humans appears to bear a close relationship to appeasement and concealment displays in other animals.²⁵ Likewise, guilt and perhaps conscience more generally may be adapted for mitigating the consequences of punishment by signaling sincerity of an apology or otherwise repairing one's reputation after a transgression.²⁶ Moreover, one of the most effective ways of appeasing a punisher, and of signaling sincerity of apology, is to communicate acceptance of punishment for the relevant transgression. That is, these evolutionary explanations appear to provide a clear explanation for why shame and guilt would lead one to believe in the appropriateness of retributive punishment as a response to one's own transgressions.

All this suggests that one central function of these emotions is self-protection. Whereas anger protects the self by coercing transgressors (and audiences) to comply with one's wishes or to desist from transgressions, guilt and shame protect the self by strategically manipulating those who punish. Moreover, it is their role in self-protection that generates intuitions about the appropriateness of retributive punishment.

Systems of Repayment Constrain Evolved Emotions

In a so-called "state of nature," emotions like anger obviously have the power to create reverberating patterns of revenge.²⁷ Consequently, in almost every culture, systems of norms have been constructed that function to constrain its effects.²⁸ Many of these systems begin with norms of proportionality and grant that the kin of a victim have the right to inflict proportional

²⁵ See Dacher Keltner, "Signs of Appeasement: Evidence for the Distinct Displays of Embarrassment, Amusement, and Shame," *Journal of Personality and Social Psychology* 68.3 (1995): 441–54, doi:10.1037/0022-3514.68.3.441.

²⁶ See Cailin O'Connor, "Guilt, Games, and Evolution," *Emotion Researcher*, (ed. Andrea Scarantino; ISRE, 2016); DeScioli and Kurzban, "Mysteries of Morality."; Daniel Sznycer et al., "Regulatory Adaptations for Delivering Information: The Case of Confession," *Evolution and Human Behavior* 36.1 (2015): 44–51.

²⁷ The clearest cases of this occur in cultures of honor. See e.g. Richard E. Nisbett and Dov Cohen, *Culture of Honor: The Psychology of Violence in the South* (Boulder, CO: Westview Press, 1996).

²⁸ For a detailed defense of the ubiquity of revenge and the institutions that constrain it, see especially Martin Daly and Margo Wilson, *Homicide* (Transaction Publishers, 1988), chap. 10.

harm on a transgressor. Some systems transition to allow for blood money penalties as a substitute for bodily harm. Others eventually phase out the kin right altogether, in favor of institutional punishment overseen by feudal lords or authority figures.

Each of these changes clearly adds an additional level of constraint on revenge motives, so that each restriction can be expected to further diminish the level of vigilante justice and revenge in a given population. Thus, it seems clear that these systems function to limit the outgrowth of bloodshed and social disorder that results from revenge motives.²⁹ For instance, the decline of kin rights in English law and the establishment of more institutional forms of retribution primarily benefitted feudal lords and kings in large part by maintaining order and limiting bloodshed.³⁰ Moreover, the role of norms regarding blood money is to provide some independent currency that can satisfy the motive to retaliate through substitution.

Old Testament practices of repayment and sacrifice are no exception to these patterns. First, Numbers 35:33 codifies a retributive norm concerning homicide: "...blood pollutes the land, and no expiation can be made for the land, for the blood that is shed in it, except by the blood of the one who shed it." (NRSV) Moreover, the *talion* ("An eye for an eye...," e.g. Leviticus 24:17-21) is best understood as a way of limiting the scope of the retributive norm via a norm of proportionality. Third, many of the rituals of sacrifice in the Torah function to substitute animal blood for the human blood that would otherwise be required as payment for transgressions against either God or one's fellow man.³¹ Stott captures the basic elements of substitutionary animal sacrifice in this way:

²⁹ Though it is an interesting question, it matters little whether that functionality is a product of intentional design or cultural evolution.

³⁰ .Martin Daly and Margo Wilson, *Homicide*, chap. 10.

³¹ For instance, one function of guilt offerings seems to be to make atonement for "less severe" offenses against other Israelites (such as those involving dishonesty) or offenses for which proportional compensation might be deemed inappropriate (e.g. having sex with a female slave).

First, blood is the symbol of life... Second, blood makes atonement, and the reason for its atoning significance is given in the repetition of the word “life.” It is only because “the life of a creature is in the blood” that “it is the blood that makes atonement for one’s life.” Third, blood was given by God for this atoning purpose...³²

I do not wish to overemphasize the role of sacrificial substitution in satisfying human revenge motives, for a large part of this sacrificial system is directed at atoning for various kinds of impurities and at man’s relationship with God.³³ Accordingly, a greater part of the system functions to absolve feelings of guilt concerning transgressions against God or to absorb God’s wrath against the Israelites.³⁴ This kind of absolution or satisfaction is necessary because God is understood as the authority over the system of law, and as such all violations of the law code are ultimately thought of as transgressions against God.

To sum up, the Old Testament law functions in much the same way as systems of blood money and repayment in other cultures.³⁵ It constrains or limits revenge and in addition absolves feelings of guilt and shame. Importantly, blood is the primary currency of substitutionary

³² Stott (2012, p. 138).

³³ As Mary Douglas keenly notes in *Leviticus as Literature* (Oxford: Oxford University Press, 1999), much of the sacrificial laws, especially in Leviticus, concern purity and food rather than vengeance, but she does not deny an implicit analogy between killing animals and homicide, which underpins the connection between animal sacrifice and payment for homicide:

Levine points out the wordplay by which Leviticus writes about shedding animal blood in terms that are usually used for homicide, but he stops short of interpreting the laws about animals as lower-key representations of homicide laws. There is no call to do so, since the language already serves well enough to dramatize the extreme gravity of the offence. Furthermore, Leviticus is about sacrifice and meat for food; the teaching on homicide is given elsewhere, in Genesis and in the Book of Numbers. The wider lessons are implicit. Genesis makes the reverse word-play, homicide described in terms of eating: God tells Cain that the ground . . . has opened its mouth to receive your brother’s blood from your hand (Gen 4: 11). (p. 232)

For a study on the relationship between atonement-for-sin and atonement-for-impurity in the Torah, see Jay Sklar, *Sin, Impurity, Sacrifice, Atonement: The Priestly Conceptions* (Sheffield: Phoenix Press, 2005). Sklar argues that the Hebrew verb translated as “atonement” (*kipper*) is univocal and involves a form of substitution in both uses. See esp. Parts I and IV.

³⁴ For a discussion of how God’s wrath should be understood, see Wiegman, “Divine Retribution in Evolutionary Perspective.” For an opposing view, see Oliver D. Crisp, “Divine Retribution: A Defence,” *Sophia* 42.2 (October 2003): 35–52, doi:10.1007/BF02782398.

³⁵ Though the law code clearly has other functions. For instance, purity norms also function to keep the Israelites “set apart” from surrounding nations, an aim which probably had instrumental value for God’s plan of salvation.

repayment. From within this system, the sacrifice of blood or the transfer of money as a means of payback is seen as morally justified.

If Jesus' death is understood by analogy with this system, it is natural to understand it too as a justified moral transaction.³⁶ Nevertheless, when we reflect on the psychological and evolutionary origins of payback more generally, this moral justification seems doubtful. Systems of payback and punishment *appear* to provide moral permission for punishments within certain bounds, but our beliefs that punishment is *positively required* appear to derive from our evolved instincts for self-protection. Moreover, it is these latter motives that the system constrains and for which it offers substitutes for physical harm to offenders. I think the overall effect of these considerations is to cast further doubt on the moral value of payback as well as the ultimate moral justification for the systems that license it.

Given that humans are in some sense stuck with vengeful motives as a result of our evolutionary history, we can understand why such a system might be morally justified as a way of preventing bad outcomes. Nevertheless, this preventative rationale does not provide any positive support for the claim that payback really is morally required as a matter of justice. If we think evolved motives for self-protection are at the heart of our beliefs about payback, then we should doubt that payback has any ultimate moral worth,³⁷ regardless of how well a system might function to constrain it. In the following section, I offer an alternative picture of the atonement; one that does not view it as a moral transaction within systems of payback. Instead,

³⁶ Indeed, recent defenses of substitutionary atonement (Porter, "Rethinking the Logic of Penal Substitution"; Murphy, "Not Penal Substitution but Vicarious Punishment.") attempt to show how such substitution (or vicarious punishment) could be morally justified. On the view I articulate below, the crucifixion actually reveals that substitution is not a morally required transaction, and that the system of retributive punishment for transgression is itself morally bankrupt.

³⁷ I make this argument in greater detail elsewhere, see Isaac Wiegman, "The Evolution of Retribution : Intuitions Undermined," *Pacific Philosophical Quarterly*, n.d.

“Jesus’ substitution” is better understood as an ingenious means for extricating us from those very systems and disabusing us of the retributive beliefs and motives they were built to constrain.

An Alternative: Hacking the System, Ending Repayment³⁸

The natural place to start is with the bad news: we are stuck with a psychology that is shaped by evolution for self-protection. This is problematic for several reasons. First, self-protection is antithetical to love. Aside from that, our natural way of protecting ourselves creates cycles of revenge, barriers to trusting others, and even barriers to the kind of self-love that is necessary for self-giving love.

Consider first that the central action-tendencies of anger and guilt are toward self-protection. Certainly, mature, controlled, and directed anger *can* motivate a kind of confrontation that is essential for loving relationships. Nevertheless, we can see its more impulsive effects in young children and adolescents, who are much more likely to lash out or retaliate when angered. Moreover, when we lash out in anger, our aim (whether we realize it or not) is to guard ourselves by coercing others to comply with our present and future desires. But this coercion is clearly not out of love for the other, nor does it naturally induce love in its object. Likewise, mature guilt can motivate necessary reflection on one’s failings, but as suggested above, its evolved effects may be aimed at a kind of manipulative appeasement. If this is right, then anger and guilt are Machiavellian in that they aim to maintain one’s social standing, emotional well-being, and

³⁸ After writing the initial draft of this paper, I became aware of the work of Rene Girard and its application to atonement theory, as found in T Scott Daniels, “Passing the Peace: Worship That Shapes Nonsubstitutionary Convictions,” *Atonement and Violence: A Theological Conversation*, (ed. John Sanders; Nashville: Abingdon, 2005), 125–48. My account of the atonement bears some structural similarities with this work, but my account does not depend on Girard’s mimetic theory of desire. Moreover, I think my account also provides a better explanation of the connection between Jesus’ crucifixion and the sacrificial tradition of the Old Testament more broadly, and not just the scapegoat ritual.

(ultimately) reproductive success by controlling others.³⁹ This kind of coercion and control is clearly antithetical to love.

Moreover, anger and guilt can maintain cycles of retaliation, mistrust, and self-doubt. In the case of anger, this is obvious even in more mundane interpersonal situations. When we are transgressed against, our anger and resentment readily leads to attributions of malicious intent that can be rekindled over time through rumination and record-keeping.⁴⁰ When we transgress against others, our shame and guilt leads to self-punishment and doubts about our own goodness or worthiness to be loved. Once these doubts have taken root, they transfer to others. If I am rotten to my core, then others must be equally so.⁴¹ Doubts are multiplied when we realize that the good will of others can be hostage to their indelible memory of our past transgressions against them. To sum up, the main problem is with trust. Forgiveness and reconciliation are impossible without trust, and the arms race of self-protection that anger and guilt initiate puts up thick barriers to trust.

It is inevitable that this lack of trust will extend to our relationship with God. We know that we have not treated God or creation with the kind of respect and care on which vibrant relationships depend. Moreover, we imagine quite naturally that God gets angry just like we do. Out of our sense of guilt, we imagine that we must work hard to appease God. Out of our shame, we imagine that we must hide from God's displeasure.⁴²

³⁹ Cf. Griffiths "Basic Emotions, Complex Emotions, Machiavellian Emotions," *Philosophy and the Emotions*, (ed. Anthony Hatzimoysis; Cambridge: Cambridge University Press, 2003), 39–67, doi:10.1017/S1358246100007888.

⁴⁰ Brad J. Bushman et al., "Chewing on It Can Chew You Up: Effects of Rumination on Triggered Displaced Aggression.," *Journal of Personality and Social Psychology* 88.6 (2005): 969–83, doi:10.1037/0022-3514.88.6.969.

⁴¹ See e.g. Brene Brown, *Rising Strong: The Reckoning. The Rumble. The Revolution.* (New York: Spiegel, 2015), chap. 6.

⁴² The story of Adam and Eve's fall from grace captures this dynamic vividly. A popular children's Bible story book encapsulates this part of the narrative in this way: "And a terrible lie came into the world. It would never leave. It would live on in every human heart, whispering to every one of God's children: 'God doesn't love me.'" Sally Lloyd-Jones, *The Jesus Story Book Bible* (Grand Rapids: Zondervan, 2007), 17.

The trust required for reconciliation with others and with God simply cannot penetrate a heart so well-armored against rejection, retaliation, and betrayal. To see this, imagine that someone else's child died as a result of your own carelessness or indifference or malice. Moreover, suppose that this person wants to forgive you and even wants to allow you to go unpunished for your transgression. "I forgive you," they might say. "I will not be angry or resentful. I will not hold this against you. I will inflict no suffering, ask no favor, extract no penalty, require no blood money, all because I love you and you are worth loving. I will not play on your guilt or shame you into repentance. Certainly, I hope that you repent, but I also hope that you will forgive yourself and live free of guilt and shame. Though I loved my child dearly and am dumb-struck with pain at this loss, my love for you is without limit. I want you to live as well as my child might have lived." Could you possibly believe such a statement? Could the statement lead to full restoration of your relationship with the parent? Could you allow yourself to give and receive love from such a person in the ordinary course of life? Or would you be haunted by doubts about your own worthiness to be loved? Or doubts about their sincerity or resolve in keeping resentment at bay? Would you feel that you are forever in this person's debt, party to a relationship with an insurmountable power imbalance? Might you end up forever working to try to undo the damage that you had done?

I suspect that no agent within "the system" can honestly make the statement that this hypothetical parent makes, and because of this, no one could possibly believe it. Given the massive incentives for self-protection within human psychology and the systems that constrain those incentives, it is obvious to everyone that no one could benefit materially from sending such a message. So for all intents and purposes, no one would ever take it seriously. The barriers to

trust would be maintained even if some irrational, beleaguered or misguided parent (as evaluated by ordinary human standards) were to send such a message.

I believe that the beauty of the crucifixion is that it can credibly convey this exact message of self-giving love. The basic barrier to trust is the entire economy of self-protection constituted by our own self-protective emotions and by systems that codify the exchange of offense for offense and blood for blood. But the economy exists because of scarcity: each individual has limited resources with which to pursue their ends. That messages of forgiveness (like the parent's above) cannot be believed is a byproduct of this scarcity.

At the cross, a horrible cost is extracted from an innocent son. But the son is a divine agent, a child of unimaginable "wealth," who is not permanently subject to scarcity and who therefore needs not participate in the economy of self-protection. Jesus' death is proof that he shares our humanity and proof also that the resulting harm and relational brokenness was real. Nevertheless, the resurrection is proof of the parent's great wealth and of the son's divinity. I said above that no agent within the system could credibly make the statement above. But if we come to believe that God and his son do not operate within the bounds of our system of self-protection, then this kind of forgiveness becomes credible. Though the cross is immense in its brutality, corruption, and brokenness, though it is the among the worst crime we might imagine ourselves committing, the good news is that God is willing and able to forgive it without punishment or penalty.

Moreover, the sacrifice and forgiveness of the Father and Son are out of love, with no ulterior motive. Thus the message of our own worthiness to be loved achieves a credibility that was previously unattainable. It becomes possible to forgive *ourselves* by letting go of our own shame and guilt. If this is right, then we can begin to let go of our motives for self-protection.

At this juncture, the promise that we will share in the resurrection aids in our escape. The resurrection is not only proof of divinity; it is also a promise that those who follow Jesus will share in the resurrection. We are adopted into a family of unimaginable wealth, and like Jesus, we can be restored from any insult or harm. Like him, we can give up on the economy of self-protection, together with its currency of debt and repayment. It becomes possible for us to make the same kind of sacrifice for others that Jesus has made for us. Moreover, we sacrifice for others not because we want to earn this grace, but out of gratitude for the grace that has already been extended.

On this view, it remains correct to say that the penalty for our transgressions falls on Jesus. After all, the Hebrew system of repayment was instituted by God, who has ultimate authority over all transfers within it. So it is God's prerogative to decide that Jesus' blood is substitute for the death that we "deserve." In this procedural sense, the consequences of our transgression within that system are transferred to Jesus. Nevertheless, we need not suppose that this transfer has any real moral weight, so long as the system is understood merely as a way of curbing the destructiveness of our evolved emotional responses. God is not thereby enforcing a moral requirement to collect a debt, since God's moral stake in the system may be merely to prevent the bad outcomes that accrue to human psychology (e.g. anger, guilt, etc.). Viewed from outside the system, the purpose of the transfer is not to satisfy a moral requirement but instead to meet the arbitrary demands of human psychology which shaped the system in the first place. Nonetheless, payment of this "debt" makes possible our exit from that system.

Let me flesh this out a little more clearly. The problem is that we cannot easily rid ourselves of vengeful sentiments because they are in some sense hardwired. Even as someone who has accepted Jesus sacrifice in the sense above (and perhaps in other senses as well), I still

regularly feel vengeful impulses and pangs of shame and guilt, but I find it helpful in that mode to think of Jesus sacrifice as absorbing my vengeful impulses and guilt and as unmasking the ugliness of revenge. I also find it helpful to meditate on the lengths to which Jesus went to extend this grace. This gratitude seems a critical antidote to vengefulness.⁴³ In any case, the point is that taking on this perspective is in some psychological sense, necessary in order to escape from the pull of our punitive motives and thus from the frame of mind on which the system depends.⁴⁴

I believe that the elements of this escape plan can be found in Jesus' enactment of communion. On the night he was betrayed, Jesus poured wine into a cup and called it his blood, asking his disciples to drink thereof. If blood is the currency of repayment for sins, then this act is like burning currency.⁴⁵ Why would someone burn currency? One reason would be to signify one's wholesale rejection of a monetary/economic system. If so, then a symbolic function of communion may very well be to say, in effect, "the currency of payback has ended for me, repayment for transgression is no more." Perhaps this is how the "new covenant of Jesus' blood" should be understood. Perhaps exit from the economy of self-protection is the kind of Exodus that the Passover meal of communion commemorates.

According to some, Jesus' enactment of communion suggests that his death must "...be appropriated individually if its benefits...are to be enjoyed."⁴⁶ If one benefit of the cross is

⁴³ Jesus is clearly not a moral example for me, when I think about the crucifixion in these terms. Rather he is both symbol (of the ugliness of the system) and substitute (for myself, or someone else at whom my vengeful sentiments are kindled)

⁴⁴ To defend the claim of psychological necessity in more detail, I would need to point to distinctive advantages of this way of thinking in relation to other potential resolutions of these feelings, such as purely secular methods like cognitive behavioral therapy or mindfulness meditation. At this juncture, I am in no position to evaluate this, but I emphasize that the proper comparison should not be between different self-help methodologies that one can adopt merely by following a set of directions. Rather, what is effective here is a wholesale shift in the way that one thinks about oneself in relation to others, and it is less clear how one could test the efficacy of such a shift.

⁴⁵ It also symbolically violates prohibitions against drinking blood, which are justified by the fact that God is the owner of all blood and sanctions its use only within the sacrificial system "to make atonement."

⁴⁶ Stott, *The Cross of Christ*, 73.

rescue from the system, then its efficacy requires the individual's wholesale rejection of the system. One cannot claim to reject an economic system wholesale if one actively manages an account within it.⁴⁷ This may explain why and in what sense the acceptance of Jesus death is necessary for salvation (here understood as escape from the system). Escape from the system means both forgoing repayment for transgressions against oneself and accepting that there will be no repayment for one's own transgressions (such as complicity in the crucifixion).⁴⁸ To demand repayment of others or to attempt repayment for oneself are both equally inconsistent with this commitment.⁴⁹

This way of understanding the good news has many additional benefits. On this view, God need not be seen as endorsing any moral requirement of repayment or as transferring moral desert from one party to another or as participating in the moral punishment of an innocent. Moreover, there appear to be many elements of scripture and tradition to which it could be fruitfully applied.

⁴⁷ See especially the parable of the unforgiving debtor in Matthew 18:21-35. Similarly, commitment to reject the system wholesale requires relinquishing one's positive assets within it. If one rejects the system and the debts one owes within it, one must also give up one's supposed earnings within it. In other words, it seems one cannot only give up on the negative desert that nagging guilt suggests to us without also giving up on the positive desert to which our soaring pride might lay claim. The parable of the workers in the vineyard in Matthew 20:1-16 is clearly relevant here.

⁴⁸ For a beautiful and brief summary of traditional views on complicity, see Stott (2012, p. 63).

⁴⁹ Two tangential points are worth noticing here. First, the commitment to reject the system entails that one will forgo violence for the sake of revenge or retributive punishment, but it does not entail total pacifism. One need not forgo violence that is instrumental for some morally valuable end, such as violence for the sake of protecting another. One who understands communion in the way I suggest may in good conscience use force to restrain a dangerous criminal or perhaps even participate in war to protect a people group from genocide. This kind of violence is clearly distinct from revenge and retribution, since its justification is forward-looking rather than backward-looking, as desert-based justification tend to be. I would even go so far as to say that ideal legal institutions might be justified in having "desert-based" policies, if those policies are the best at preventing harms via deterrence. The ultimate justification for such policies would be forward-looking, even though the individual justification for each act of punishment is backward-looking, cf. John Rawls, "Two Concepts of Rules," *The Philosophical Review* 64.1 (January 1955): 3, doi:10.2307/2182230. Second, I take it that an attempt at payment for one's own sins is distinct from reparations. Reparations aim at restoring relationship or repairing harm, whereas repayment is fundamentally an act of self-protection. One *repays* in order to protect oneself from vengeance or hard feelings. The intended beneficiary of repayment is oneself, whereas the intended beneficiary of *repair* is someone else.

Conclusion

To sum up, if we come to believe that our intuitions about payback are defective, then traditional understandings of the atonement need to be replaced. This alternative picture then is an interesting way of reformatting our understanding of the atonement to eliminate the moral legitimacy of payback and to reflect the emerging scientific picture of how evolution has shaped our moral outlook, often for the worse.

Of course, this is just a sketch of the good news that leaves many questions unanswered. For instance, what role does God the father play in the crucifixion? Can that role be justified from outside the system as well? How are we to understand scriptures that seem to endorse a moral commitment to the Old Testament system of repayment? And finally, on this view of the atonement, how is the grace given different from “cheap grace”?

The last question is particularly pressing. Outside a system of debt collection, God’s forgiveness and grace looks to be completely free and without cost, as cheap as it could possibly be. Here, the tendency of many evangelicals is to insist that this is why sinners must be convinced that they truly deserve horrendous suffering as punishment for their sins. I think this misunderstands the meaning of “cheap grace.” Cheap grace is not cheap because of the amount of punishment that ought otherwise to be exacted by the grace-giver. It is cheap because of the wrongdoer’s low estimate of their wrongdoing and its effects. Sinners cheapen grace when they minimize the value of their relationships, the damage they have inflicted upon others, and their own culpability for that damage. Nevertheless, punishment is not the only way of signifying the heaviness of these moral weights. One can admit fully to these weights without supposing that

they can or should be repaid in any currency.⁵⁰ Even where anger, resentment and payback are entirely off the table, one can entertain weighty concerns about one's relationships to those one has wronged: Can the damage be undone? Is she willing to trust me anew? Am I able to love him as he deserves? Can I avoid hurting them again? Will our relationship change in some way because of what I have done? Even if one has never participated in an economy of self-protection, restoration of any relationship remains infused with meaning and weight. Even if payback is not required, forgiveness is the prerogative of the wronged. Thus it cannot be taken for granted.

Regardless, if divine forgiveness and grace end up being cheap on this picture, the implications are no less costly. It demands that we extend *unlimited* grace toward those still trapped in the system of payback (cf. Matthew 18:21-22), and it is easy to see that this may cost us everything this world has to offer us. In the end, we may count this cost as a small thing (cf. Philippians 3:8), but it is no small thing to undergo the radical shift in perspective that this picture requires.

⁵⁰ In fact, for even the most mundane of sins against another, I believe it would be crass to suppose that one could provide any payment for compensation.

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