

Satisfaction-Penal Theories of Atonement

ROLFE KING

University of Aberdeen

rking@abdn.ac.uk

Abstract: Drawing on an account of satisfaction theories recently set out by Oliver Crisp, I argue that all theories of atonement which specifically relate Christ's suffering and death to satisfying divine retributive justice, are forms of penal theory. I introduce the notion of satisfaction-penal theories. I compare their structure to penal substitution accounts. In both, the appeal to the dignity of the Son of God is critical. A key underlying difference is what is offered to God: Christ offering himself, in perfect love and obedience, or the value of the punishment borne by him.

Keywords: Atonement, Satisfaction, Penalty, Penal substitution, Oliver Crisp

1. Introduction

In this article I claim that all those satisfaction theories of the atonement which specifically relate Christ's suffering and death on the cross to satisfying divine retributive justice, are penal theories. I examine a sub-group of penal theories, which I call satisfaction-penal theories, and contrast them with penal substitution accounts.

In section 2, I compare an Anselmian and an Aquinas-style account of atonement arguing that in both cases God as Judge sets a penalty which Christ must endure. In section 3, I argue that the notion of supererogation is compatible with Christ bearing a penalty, and that the underlying structure of these two types of account is consistent with God (if God so chose) requiring Christ to bear divine alienation on the cross. In section 4, I examine Oliver Crisp's vicarious penitence atonement account. I show that his account is also a reparative account in which Christ bears a penalty. Based on the preceding analysis, I offer an attempted proof (ARGUMENT P) of the above claim, that all satisfaction accounts which specifically relate Christ's suffering and death on the cross to satisfying divine retributive justice, are penal theories. The analysis thus far has begun to clarify that there is a sub-group of penal theories with a similar structure, which I refer to as "satisfaction-penal theories." In section 5, I examine the structure of such accounts. In section 6, I comment on penal substitution

accounts noting that these also come under ARGUMENT P, and I make an initial comparison of such accounts with substitution-penal accounts. In section 7, I comment on aspects of how the legal transfers of liability occur under satisfaction-penal theories compared to the kind of transfer-based penal substitution theories I referred to section 6. In section 8, I comment on a key underlying difference between substitution-penal accounts and penal substitution accounts, and I suggest some options for further research.

I draw on Oliver Crisp's recent book, *Participation and Atonement*, (Crisp 2022). Crisp is widely recognized as a distinguished expositor of doctrine and related philosophical matters,¹ so he is an appropriate conversation partner. He compares what he calls an Anselmian account of satisfaction and a Thomistic account. Crisp says that these accounts are "versions of satisfaction" which draw on historic discussions. Rather than attempting exegesis of Anselm and Aquinas, his aim is to discuss the "*theological form or shape*" of their doctrine. (Crisp 2022, 96). I also follow this pattern. Clearly, significant work may be needed to examine any gaps between these summary accounts and the works of both Anselm and Aquinas. This is an obvious potential weakness of my approach.² My aim, though, is to establish an independent argument, indeed a proof, which should mitigate this problem.

2. Satisfaction Doctrines

Regarding satisfaction doctrines, or theories,³ Crisp comments that,

The central claim of any doctrine of satisfaction is that Christ's act of atonement is a supererogatory act that is voluntarily offered as a gift to God instead of punishment of the sinner. In other words, fundamentally, satisfaction is an act of *compensation or reparation*.⁴

Crisp then summarises an Anselmian account, as follows:

¹ For example, just a sample of his other books includes Crisp (2019); Crisp (2020a), Crisp (2020b), Crisp (2020c).

² A reviewer notes that there are different interpretations of Aquinas, such as that of Eleonore Stump (Stump 2018), which do not read Aquinas as putting forward a satisfaction account which relates to satisfying divine retributive justice. Crisp's reading can thus be questioned. Importantly, however, my claim is *not* about *all* satisfaction accounts; it is only about those satisfaction accounts which specifically relate Christ's suffering and death to satisfying divine retributive justice. If such alternative readings of Aquinas are correct, then Aquinas's account would not be a satisfaction-penal account. For a critique of Stump's take on Aquinas, see Breiner (2018).

³ I am not specific here in drawing distinctions between theories and doctrines. For helpful comments on this, see Crisp (2022, 19–32).

⁴ (Crisp 2022, 97). Crisp's emphasis.

- 1) God is essentially just.
- 2) Divine distributive justice is retributive in nature.
- 3) Sin is heinous; it derogates from God's honour.
- 4) The penalty for sin must be sufficient requital for human sin.
- 5) The penalty for sin may be met in one of two ways: either the punishment of sin or some supererogatory act of sufficient value that it may be accepted as a satisfaction for human sin.
- 6) God cannot forgive sin independent of satisfaction.
- 7) The atonement 'restores' divine honour; it is sufficient requital for human sin.
- 8) The benefits of atonement are appropriated by means of the sacramental life of the church. (Crisp 2022, 97)⁵

Note here the words, *penalty for sin*, in both the fourth and fifth statements. This notion is embedded in this account of satisfaction. Now let us see Crisp's summary of Thomistic satisfaction, as follows:

- 1) God is essentially just.
- 2) Divine distributive justice is retributive in nature.
- 3) Sin is heinous; it derogates from God's honour.
- 4) The penalty for sin must be sufficient requital for human sin.
- 5) *The penalty for sin may be met in one of three ways: the punishment of sin; some appropriate supererogatory act of sufficient value that it may be accepted as a satisfaction for sin; or the forgiveness of sin.*
- 6) *The atonement is conditionally sufficient for salvation, but God has independent moral reasons for providing satisfaction in Christ.*
- 7) The atonement 'restores' divine honour; it is sufficient requital for human sin.
- 8) The benefits of atonement are appropriated by means of the sacramental life of the church. (Crisp 2022, 110)⁶

The italics of the two sentences above clarify a key difference between the Thomistic version of satisfaction and the Anselmian version Crisp operates with. The Thomistic version presumes, as Crisp puts it,

that God may set aside the exercise of justice in favor of forgiveness without satisfaction However, God may have good moral reasons for serving punishment on the sinner or requiring satisfaction – reasons having to do with the moral seriousness of sin. (Crisp 2022, 110)⁷

Given that God in fact does punish sin or provide satisfaction, Crisp says that "there may . . . be only a conceptual difference from the Anselmian position"

⁵ For ease of exposition, I have slightly altered Crisp's wording.

⁶ Crisp's emphases.

⁷ Crisp's emphases.

(Crisp 2022, 110), where I take him to refer to how divine justice is satisfied under the Thomistic version. Critically, the same basic structure is present as in the Anselmian account regarding the notion of the *penalty for sin*: it is again present in both the fourth and fifth sentences.

The notion of divine retributive justice Crisp is working with is that *divine retributive justice requires that there must be an adequate requital for sin*, a notion I will also work with. As already noted, relying on Crisp may be a potential weakness, but his work does, I suggest, help with structural matters, which are my concern here. And what is structurally of interest here is this idea of a penalty for sin. For it is Jesus who meets this penalty. He is the innocent man, albeit the Godman, who voluntarily chooses to meet this penalty for sin. And that sounds like a key underlying notion of penal theory accounts.

In these Anselmian and Thomistic satisfaction theories (as Crisp reads them) what matters is what God *requires Christ to do* so that the relevant demands are satisfied. The Judge of all sets certain requirements that *must* be in place if satisfaction is to be made. Under these accounts, we face, as a matter of justice, punishment for our sins. Therefore, if we are to be freed, God must find a way where we can be justly freed. And here God *requires* Christ's sacrifice under these satisfaction accounts. (I shall also take it throughout that God also requires Christ to live a life perfect in love for God and others, in his own right, but also on our behalf.) The Divine Judge therefore *prescribes* this suffering if we are to be freed. One meaning of the word penalty is, according to the Oxford English Dictionary, "a loss or disadvantage of some kind prescribed for an offence . . ."⁸ And the Merriam-Webster dictionary includes taking a penalty to mean, "the suffering in person, rights, or property that is annexed by law or judicial decision to the commission of a crime or public offense."⁹ And that is what we have here. Jesus bears many losses which are imposed by a decision of the Divine Judge; he bears suffering in person which is annexed by law or judicial decision to the commission of offences against God's law. Note here, though, that I am not aiming for a full definition of the word "penalty." All that is needed for my argument to go through is that Christ's suffering are an *instance* of a penalty.

Crisp's Anselmian account focusses on supererogation, rather than the bearing of a penalty. This is understandable, for that is how satisfaction accounts are generally presented. Thus, we need to further examine the notion of supererogation and how this can be consistent with bearing a penalty. Crisp writes, regarding the Anselmian account, that:

⁸ <https://www.oed.com>, accessed 4 Jan. 2024.

⁹ <https://www.merriam-webster.com/dictionary/penalty#dictionary-entry-1>, accessed 8 Jan 2024.

Christ's death generates a supererogatory merit that may be used as compensation for the dishonour to God brought about by human dereliction. God does not *need* this compensation. But because God is essentially just, there must be some act of compensation of sufficient value to meet the demerit of human sin in order to balance of the demerit of sin. This is what Christ's atonement provides (Crisp, 2022, 108).¹⁰

Under the Anselmian view, then, Christ's death is thus *required by God for satisfaction to be made*. I take it here that Christ's suffering too is also required for satisfaction, not just literally his death. But suffering that is required under a legal, or judicial, sentence for offenses committed, is suffering borne under a legal or judicial penalty. And the same applies to the Thomistic scheme, albeit with the adjustment about God not necessarily having to require satisfaction or punishment, but where, as a matter of fact, God has chosen to require satisfaction for us to be saved.

3. Satisfaction and the Penalty of Sin

I noted above that we needed to further consider the notion of supererogation. This notion is at the heart of satisfaction theories. Christ's act of atonement is a supererogatory act that is voluntarily offered as a form of reparation to God instead of the punishment of sinful human beings. This may seem distinct from him bearing a penalty on our behalf. But Christ's offering here is no different from traditional penal theory, in the sense that under that theory (or theories) Christ is under no obligation to pay a penalty for us but does so voluntarily. Critically, *once he voluntarily undertakes to make legal satisfaction for us, he then takes on the obligations that this involves*. Given this acceptance, then under both these Anselmian and Thomistic accounts of satisfaction, Christ must then bear the requirements set by the Divine Judge for him to suffer and die for us, to offer adequate satisfaction for us. Even under traditional penal substitution notions, Jesus's act is supererogatory because it is far beyond the call of duty. There is nothing in principle to say that an act of supererogation is incompatible with being an act where Christ bears a penalty on our behalf.

Crisp writes,

Because Christ's act is not required of him, being a voluntary act of atonement . . . and because it is not done out of duty or obligation, being an act of grace and mercy, he may use the merit it generates to compensate for human sin. This is satisfaction. (Crisp 2022, 107)

¹⁰ Crisp's emphasis.

His atoning act is indeed voluntary. But it is a requirement of divine justice that he suffer and die for us if we are to be released from our debts. So, he undertakes to carry out the duties and obligations to meet the sentence-requirements made by the Divine Judge who set out the penalties involved regarding our sin. This seems no different in principle from traditional notions of the penal theory where Christ acts out of grace and mercy to meet the penalties set by the Divine Judge.

Christ does not suffer divine alienation, let alone irrevocable alienation from God, under Anselmian and Thomistic accounts.¹¹ The reason why, under these accounts, we can be freed from the punishment of irrevocable alienation from God is both Christ's work of loving obedience and the fact that as a person, in offering *himself* (e.g. Gal. 2:20, I Tim. 2: 5–6) he is of infinite worth, which makes his work of infinite merit (or at least sufficient merit) so that we can then be saved. But even under penal substitution theories Christ does not suffer irrevocable or eternal alienation from God; he suffers death and alienation from God which, strictly speaking, is *not identical to the punishment due to us*. As such, it seems that there is a deficit to be made up so that Christ's sufferings are sufficient for divine justice to be satisfied.

One way to make up this deficit is with the same mechanism as in the Anselmian and Thomistic accounts of satisfaction, by appealing to the intrinsic worth of Christ's person as the critical factor in making his work loving obedience as of infinite worth (or sufficient worth) so that our sins can be legally forgiven, that is, with us being released from our debts. So, one could have a version of a satisfaction account where Christ bears alienation from God. Here Christ's suffering, his death and alienation from God, plus the infinite worth of his person in his loving obedience in offering himself to bear this penalty is determined by the Divine Judge to be sufficient satisfaction for human sin.

So far, we have two ways of thinking about how divine justice (and/or divine honour) might be satisfied in what I shall now refer to as *satisfaction-penal* accounts.

- 1) God requires Christ's suffering and death.
- 2) God requires Christ's suffering and death and alienation from God.

Both involve penal requirements, in the sense of God requiring Christ to suffer and bear a penalty to release us from punishment. The first is in line with the Anselmian and Thomistic doctrines of satisfaction. The second also involves Christ meeting a penalty. If one deploys the notion of Christ's infinite value as a person in his loving obedience, in the second of these, one can see that this is a

¹¹ I use the phrase *irrevocable alienation* rather than eternal alienation to leave open the possibility that some may be destroyed, rather than endure eternal alienation.

reparation account of the atonement, but where Christ bears alienation from God. The only difference between these two forms of satisfaction is over the correct understanding of the penalty Christ bore.

4. Crisp's Atonement Account

I now turn to Crisp's account, just focussing on the reparation mechanism he invokes. For Crisp, Christ's atoning act is connected to the notion of vicarious penitence, which traces its roots to McLeod's Campbell's atonement account (Campbell 1996).¹² The core notion is of Christ offering an apology to God on our behalf. Christ's act is one of vicarious penitence where he acts as our representative. Crisp's account is Anselmian in that Crisp accepts that forgiveness cannot occur with satisfaction (Crisp 2022, 122–127),¹³ and that Christ "represents human beings as a human being, yet he must also be a human being without sin in order to represent humanity soteriologically. And he must be divine in order for the act to have the right kind of value requisite for the atonement" (Crisp 2022, 199). For Crisp, "Christ's incarnation, life, death and resurrection constitutes one performative action by means of which he offers an apology on behalf of fallen humanity" (Crisp 2022, 199). Crisp gives the examples of apologizing to a neighbour for one's son backing the car into theirs, or of a head of state apologising for certain acts which occurred in the past, such as wartime atrocities (Crisp 2022, 199).

Including the resurrection as part of Christ's apology on our behalf seems problematic, as the resurrection *follows* Christ's apology on the cross which of itself is of infinite (or sufficient)¹⁴ merit. That merit has, on Crisp's approach, already been gained by the time of Christ's death, so it is unclear why further apology is needed. But that aside, the general tenor is clear. The claim is that, as Crisp puts it, "Christ may be held accountable for the sin of humanity as the representative of humanity though he is not culpable for human sin or blameworthy" (Crisp 2022, 200).

The penitential element is critical. Crisp cites the *Oxford English Dictionary* entry on penance, to the effect that penance is a "performative act of self-mortification or the undergoing of some penalty as an expression of sorrow for sin . . . religious discipline either imposed or voluntarily undertaken, as a token

¹² For a helpful commentary on Campbell's account, see Van Dyk (1995).

¹³ Crisp is discussing penal substitution here, but he makes clear his support for the view that divine justice does not permit forgiveness without some form of retribution being paid, whether by punishment or satisfaction being made.

¹⁴ From now on, for convenience I generally drop this "or sufficient" alternative, as regards either merit or worth, but it should be taken as read.

of repentance and a means of satisfaction for sin.”¹⁵ Here Christ’s suffering is voluntarily undertaken, which is obviously in line with Anselm. And because Christ’s person is of such value, the whole effect is one of a satisfaction which is sufficient to cover human sin.¹⁶ One seemingly could add here that idea Christ might have been required to offer what Khaled Anatolios calls doxological contrition, by way of satisfaction for human sin, where this includes Christ suffering great sorrow for our sin, including abhorrence of it, in the context of perfectly glorifying God (Anatolios, 2020).

Crisp makes clear that he sees his theory, like Anselm, as excluding penal substitution. He writes,

The atonement is a vicarious, reparative, and penitential act of soteriological representation. Like the literary trope of synecdoche, Christ stands in for the whole of humanity . . . But he is not a substitute for humanity, and he does not bear the punishment or guilt for human sin. Thus, penal substitution is excluded. *He does pay the penalty for human sin that includes death and alienation from God on the cross.* But the payment of this penalty is an aspect of his penitential act on behalf of fallen humanity. Moreover, because he is the God-man his vicarious action has the value to atone for the sin of all of humanity. (Crisp 2022, 202)¹⁷

Crisp says that Christ *does pay the penalty for human sin which includes death and alienation from God*. But it is a requirement of the Divine Judge that he bears this penalty. Without it we cannot justly be saved. Christ undertakes to meet this liability. It is a legal liability, set by the Divine Judge, one which involves suffering and death. Christ bears this, so under Crisp’s account he bears this penalty on our behalf. Unless he bears it, we will be lost; he is the only human who can bear this penalty. Crisp’s account therefore seems to be a satisfaction-penal account.¹⁸

It might be argued that what God really requires is an act of love (or a perfect act of worship or suffering sadness for human sin), rather than a penalty to be borne. And it is surely true that God requires that Christ’s act be perfect in love for God and for humanity, with perhaps other requirements regarding Christ’s inner life. Even so, the deeds required under the divine judgement include

¹⁵ Crisp (2022, 200, n. 48), citing <https://www.oed.com>, accessed by Crisp, 15 March 2021.

¹⁶ For a modern satisfaction account requiring apology, reparation, and penance (and our repentance), see Swinburne (1989).

¹⁷ My emphasis.

¹⁸ A reviewer raises a concern that purely reparative accounts may be like someone paying the parking fine of another person. The one who pays can hardly be said to be the one who is penalised. Satisfaction-penal accounts, however, do incorporate a punitive element; they are not purely reparative accounts. God judges the penalty that is intrinsically fitting. See the comments at the end of section 8 on the notion of an intrinsically fitting penalty.

suffering and death. These legally required deeds are a penalty required to be borne to set us free. The act of love is obviously necessary for gaining infinite merit. But Christ still must suffer. The suffering is the penalty. The act of love motivates the bearing of the penalty.

Regarding this penalty, the core of my argument that all satisfaction accounts which relate Christ's suffering on the cross to satisfying divine justice (*which I refer to just as 'satisfaction accounts' below*), are forms of penal theory, should now be becoming clear. Let us call this ARGUMENT P. It is, in effect, an attempted proof about penal accounts. It is:

- 1) The penalty for sin is that an adequate requital must be made to restore God's honour or meet the demands of the law.
- 2) Under satisfaction accounts, an adequate requital is either that we be punished for our sin, or that Christ make satisfaction for us.
- 3) Under satisfaction accounts, to make satisfaction for us, Christ is judicially required to bear (at least) suffering and death.
- 4) A judicial requirement, as part of a judicial sentence, that someone must bear suffering as part of making an adequate requital for sins, is a penalty.¹⁹
- 5) Therefore, in satisfaction accounts Christ suffers a penalty.
- 6) A penal theory is one where Christ substitutes himself to pay the penalty which enables God to set people free from the penalty due to them.
- 7) Therefore, satisfaction accounts (which relate Christ's suffering on the cross to satisfying divine justice) are forms of penal theory.

It might be argued that I am simply defining "requital" to ensure this argument goes through. But a legal sentence that requital must be made, due to sin, where this requital involves suffering, is in fact a requirement that a penalty for sin be suffered. If so, then what we have here is the result of a philosophical analysis beginning to clarify the underlying structure of these accounts.

5. The Structure of Satisfaction-Penal Accounts

To make further progress on this philosophical task of finding the structure which underlies these theories, it is helpful to examine the way we are released from our penalty. Under these accounts, God is under no requirement to forgive everyone even if Christ has offered a sacrifice of infinite merit to save us. Christ has at that point made a sacrifice sufficient to cover the sins of all. But there is no

¹⁹ As noted earlier, I do not need to aim for a full definition of the word 'penalty'. For the above argument to go through all that is necessary is that Christ's suffering are an *instance* of a penalty.

obligation on Christ to save all even if he has offered satisfaction sufficient for all. Under the views we have been discussing, the penalty due to each of us is death and irrevocable alienation from God (as a minimum). Christ does not literally bear that specific penalty. *In that sense*, the penalty he pays is not my specific penalty, nor that of any individual human being, even though he pays a penalty sufficient to cover all human sin.

One might, however, argue that we need to cover the theoretical possibility that our penalty, independent of Christ's work for us, was either (1) to bear suffering and irrevocable alienation from God or (2) *to make reparation for our individual sins*. There is no direct biblical evidence I can see for this, nor could we have done this. Perhaps, though, it is a theoretical possibility. Critically, however, this point should make clear that even if this were a possibility, Christ still does not literally pay our individual specific penalties. For the penalty he bears is one that is for the reparation (subject to our turning to God) for *all* human sin under the law. Neither part of *my penalty*, that is, (1) and (2) above, is the specific penalty suffered by Christ. *In that sense* he is not our substitute, but his is our substitute in the sense of making a payment sufficient to cover our sins, which we could never pay.

Adjusting for this theoretical possibility, I suggest that the following is the basic structure of satisfaction-penal theories. The penalty for human sin is that either:

- 1) We are punished, or
- 2) either: (a) we, or (b) a substitute for us, that is, Christ, makes adequate reparation, and if (b), then
- 3) the benefits of Christ's reparative work, or sacrifice, are only applied to us if we ask God, in an appropriate way, to forgive us on the grounds of that sacrifice.

We clearly cannot offer adequate reparation, but even when Christ does, the third point remains significant, because *it is part of the legal sentence upon us*. We therefore remain under the penalty due to us until at least this point. After this, there are differing Christian views regarding whether we are fully released from the demerit of our sin at this moment. But it is important to note that when someone asks God, in an act of faith, for forgiveness, this does not entail that they, at that point, give something to God by way of reparation. Christian theology is clear that faith is God's gift to us.

Christian groups may specify different criteria for this third point, hence I used the words "in an appropriate way." There are deep theological waters here, with complications about original sin, the role of baptism, freedom of the will, and so on. Important as these issues are, they need not detain us here.

The key point to focus on is the time gap necessarily involved in a merit-demerit transaction scheme, between Christ's work and our response. I suggest that necessarily this entails some form of merit-demerit transaction occurring when people turn to God. This is because the merit is gained through Christ's sacrifice can only be transferred to us when we respond to God. The merit therefore has in some sense to be stored up, as in an "account." Although this is not something Crisp devotes attention to in his own theory, the notion of a treasury of merit, or something similar, seems necessary here.²⁰ Given that Crisp's account is in line with the above structure for satisfaction-penal theories, I suggest that Crisp has set out a third form of satisfaction-penal theory. We have seen two such forms already, but now we can add a third:

- 1) God requires Christ's suffering and death.²¹
- 2) God requires Christ's suffering, death, and alienation from God.
- 3) God requires Christ's suffering, death, alienation from God, and Christ apologising and expressing sorrow, or contrition, on our behalf.

This third form is Crisp's version of the appropriate penalty which God requires.²² Can we, however, add a fourth form of penal requirement? Consider:

- 4) God requires Christ's suffering, death, alienation from God, apology on our behalf, *and Christ's victory over the powers of darkness.*

This incorporates *Christus Victor* motifs into a wider satisfaction-penal theory. One could argue, for example, that Christ must overcome the powers of darkness which humans so signally have failed to do. Perhaps it is a divine requirement for satisfaction that throughout his life, and supremely on the cross, Christ defeat the powers of darkness and evil in some maximal way.²³

Crisp's view is that *Christus Victor* notions lack a mechanism of atonement (e.g. Crisp 2022, 80, 88–90).²⁴ But the above suggestion gives a way in which the

²⁰ One need not commit, however, to saying that the church has the power to distribute the benefits of Christ's work. One could say that Christ alone has that power.

²¹ Within this category there can be differences about what kind of suffering God requires, for example whether that includes Christ's great sorrow as he sees the true horror of human sin.

²² As noted earlier, Khaled Anatolios's atonement account based on soteriological contrition could seemingly be combined with Crisp's account, and thus one could extend this category to include the notion of doxological contrition. See Anatolios (2020).

²³ I obviously assume here, which many Christians would accept, that there are such powers of darkness, however mysterious.

²⁴ See also, Crisp (2015). The classic text on *Christus Victor* motifs is Aulen (1931). For a modified view, focussing on the incarnation as the way victory is won, see Tanner (2010).

Christus Victor elements of Christ's work could be incorporated within a mechanism of atonement. This is different from Christ's work paying a penalty for us, which then enables us to be set free from the powers of darkness. Under that understanding, the payment of the penalty is the way the victory over the powers of darkness is gained. Such a way does not require Christ to have overcome the full powers of darkness in his own life. The fourth form of satisfaction-penal account, however, yields a different way to deal with this matter, one which incorporates Christ's victory over evil into a satisfaction model.²⁵

6. Penal Substitution

What, though, about penal substitution doctrines?²⁶ What about the notion of Christ being *punished by God*? And what about the notion of Christ facing divine wrath? Someone might argue that *the only true form of penal theory is one where Christ faces divine wrath*. But that it is to make a claim about the right understanding of the *penalty*. There may still be other forms of penal theories. Furthermore, I have already argued that there can be a satisfaction theory which includes a requirement for Christ to bear divine alienation. It does not seem too difficult to interweave that with the notion of Christ suffering a form of divine wrath. My wider point is that the Anselmian account and the Thomistic account (at least as Crisp reads them) are both forms of penal theory. The penalty they specify (suffering and death) may not be the right understanding of the penalty required, from the point of view of such a person. But that does not entail that they are not penal theories.

If we accept that penal *substitution* theories are about Christ substituting himself to bear a punishment so that our guilt can be removed as the way in which divine retributive justice is satisfied, then *they are not an exception to ARGUMENT P above* for they are still satisfaction accounts in which Christ suffers a penalty. Penal substitution accounts are a distinct sub-group of penal theories,

²⁵ There may be other features required of Christ for satisfaction than listed here. Also, the different features of these four forms can be combined in more than four ways. For example, one could add the *Christus Victor* notion to Form 1 and call this Form 5 where God requires Christ's suffering and death, and victory over the powers of darkness, where this could still involve Christ being pushed away to outer darkness, but where this was to bring Christ to the only place where the powers of darkness could be confronted in some maximal way. One could also research into whether God required Christ to bring human nature to its completed perfection in some way. For example, see King 2015.

²⁶ For a classic defence of penal substitution theory, see Packer (1974). For a passionate defence, see Jeffrey et. al., (2007). For a recent major work, see Craig (2020).

with substitution-penal theories *also* being another distinct group of penal theories; both come under ARGUMENT P above.

Someone may argue that *the only true form of penal theory is one where our sin is imputed to Christ*, and he bears divine wrath in our place. Although such a comment admits that there may be other forms of penal theory, this claim is clearly significant. I will shortly come to the issue of imputation, but divine wrath does need further comment. We have seen Crisp arguing that Christ must bear suffering, death and alienation from God, as well as apologising for us. What is this alienation from God? Crisp does not further analyse this. Does this involve facing divine wrath? If it does involve facing wrath then this would be an instance of a satisfaction-penal theory incorporating such wrath, but without being a traditional penal substitution theory.

Alienation from God would seem to involve Christ being in some sense God-forsaken. Perhaps here we may take it that Christ is in some way *pushed away* into the place of 'outer darkness' (it may be this is also necessary for his final victory over the powers of darkness) and loses any sense of being able to instantly access God's loving presence which he had always been able to do. He is in a place of outer darkness. That, to me anyway, sounds like a place of divine wrath, being pushed away to outer darkness.²⁷ But there still seems to be some notion of legal satisfaction operative here. For as I have already noted, Christ does not face irrevocable divine alienation, so he does not, strictly speaking, bear the punishment due to us. So, one could still appeal to some notion of Christ's infinite worth, as critical to the infinite merit of his love and obedience in offering himself to bear this alienation, which would still enable this account to be a satisfaction-penal account with Christ bearing the consequences of our sin, in the sense that he offers himself to bear a penalty to enable us to be released from the consequences of our sin.

By contrast, someone might argue that the full measure of God's wrath is meted out upon Christ even in the limited time he experiences alienation from God, where this wrath totals up to what would be for us infinitely extended wrath. And this must be equivalent to all the wrath poured out upon all in hell for all eternity, compressed into a short time span. To me it seems questionable that one human frame could bear this (and to save us it must be a human frame, so to speak, for Christ must be a truly human substitute). It seems at least questionable that any finite human nature could bear infinite suffering in a finite

²⁷ Eleonore Stump explains the cry of dereliction in terms of Christ suffering a simulacrum of the stains of all human evil in his soul, so losing a sense of God's presence. See Stump (2018, 164–165). But this seems to imply that Christ is mistaken in believing that he is God-forsaken, which seems implausible to me; rather it seems a matter of God to choosing to withdraw a sense of his presence.

time.²⁸ However, in this scenario, such an account is not a satisfaction-penal account of atonement, for it does not rely on a salvific notion of Christ's infinite worth contributing to the infinite merit of the love and obedience of his atoning act. It would be a penal substitution account, and so still would (as noted above) come under ARGUMENT P. If this account were true, then it would simply entail that satisfaction-penal accounts were the wrong penal accounts, not that they were not penal accounts.

There is another feature of many traditionally prominent penal substitution accounts which incorporate the idea that our liability to punishment is in some way *transferred to Christ*, that the sins of individuals are imputed to Christ. If so, then Anselmian and Thomistic accounts of satisfaction, even if we accept that they are a type of penal theory, are clearly not forms of "the traditional penal substitution theory." Here, Crisp has a helpful discussion of penal substitution theories, and notes, having discussed Louis Berkhof on this transference, that:

According to Berkhof, all that can be transferred from one to another is the guilt of sin as liability to punishment. The sinner remains the guilty party, and their liability to guilt does not transfer. (Crisp 2022, 136)²⁹

Crisp agrees that this is the most feasible view of transference, discounting a second view that God transfers both the guilt and sin of the sinner to Christ as facing "considerable conceptual challenges" (Crisp 2022, 137). For the sake of argument I focus on this first view. Crisp notes that this involves a form of legal relaxation. As Crisp puts it,

[that] Christ can be a penal substitute at all involves a concept of legal relaxation . . . Christ is able to be the substitute for sin because God decides that Christ's work satisfies the requirements for [dealing with] sin, and God is willing to accept Christ's work as a substitute for the sin of those human beings Christ came to save. (2022, 138)³⁰

Fundamental, then, to such theories is the notion of a legal relaxation where Christ can be our penal substitute bearing our penalty for sin, thus releasing us from the legal liability to punishment.

²⁸ See, however, Duby (2024) for a significant counterargument, that this is possible – with the divine power of the Son of God sustaining Christ miraculously so that he can bear infinite wrath. One might explore here, however, at least for Reformed thought, if the principle of *finitum non capax infiniti* might then be breached.

²⁹ Crisp cites Berkhof (1988, 377).

³⁰ I have inserted "dealing with" as this seemed to be the sense Crisp meant.

7. Transactions and Transfers

Let us try to clarify the different way the legal transfers of liability occur here. In traditional transfer-based penal theories, as per Berkhof, for example, where God, in an act of legal relaxation, accepts that Christ is punished *in my place*, Christ is seen as having borne *my* (speaking generically) penalty.³¹ As such, legally speaking, Christ's bearing my penalty entails that as a matter of justice, there is no further penalty for me to pay when I turn to Christ. It is in this sense that a traditional, or Berkhof-style, penal substitution theory, is distinctive. Satisfaction still occurs, but through a form of legal relaxation such that Christ bears what God counts as *my penalty*, that is, if Christ does indeed die for *me*. This is different to the satisfaction-penal (form 2) account where Christ does not bear my specific penalty, but bears a penalty required to make satisfaction for human sin. Under that account, if Christ so wishes Christ can apply the benefits of his work to me, but that requires an extra choice, so to speak, which Christ makes.

Berkhof, however, insists on the form of transference such that Christ is regarded by God as bearing each person's penalty (for whom Christ dies). He appeals to the need for a penal substitution theory based on scriptures which tell of sins being transferred to a substitute, who then bears the divine judgement, for example in Leviticus 1:4, or the notion of laying hands on a scapegoat in Leviticus 16:20–22. He also refers to "several passages in Scripture which speak of our sins as being 'laid upon' Christ, and of His 'bearing' sin or iniquity". Here Berkhof cites Isa. 53:6,12, John 1:29; 2 Cor. 5:21; Gal. 3:13; Heb. 9:28; I Pet. 2:24, before noting that "On the basis of Scripture we can, therefore, say that our sins are imputed to Christ." Here, though, in line with Crisp's earlier comments, Berkhof says that "This does not mean that our sinfulness was transferred to Him – something that is in itself utterly impossible – but that the guilt of our sin was imputed to Him." (Berkhof, 1996, 377)

Under traditional transfer-based forms of the penal theory, there is a different choice structure. Christ chooses to bear Tom's (say) penalty and then Tom, on turning to Christ, has no further penalty to bear under the law. By contrast under the satisfaction-penal account (form 2) when Christ bears the penalty he is required to bear, that of itself involves no specific selection of individuals whom Christ will choose to apply the benefits of his work to. So, these are two different forms of penal theory. So, if those who hold to traditional transfer-based penal theories affirm that these are the only true forms of penal theories, then they may choose to reject satisfaction-penal theories as penal theories because they do not involve the penalties of individuals being transferred to Christ.

³¹ I do later comment on William Lane Craig's non-transfer-based penal account.

That, however, may be a form of definitional imperialism.³² After all, satisfaction-penal theories are still theories which involve Christ bearing a penalty which is necessary for the forgiveness of the sin of any human being. And the second form of such satisfaction-penal theories involves Christ being forsaken by God, and thus alienation from God, and possibly bearing some form of ‘pushing away’ into outer darkness. There is enough here, in my view, for such theories to be admitted as forms of penal theories, hence the term satisfaction-penal theories.

A significant question here, I suggest, is: When is our personal demerit removed?³³ Or: when is forgiveness (in the sense of release from liability, or debt) granted to us? Traditionally, it is Protestants who have defended penal substitution, and Protestants emphasize the great moment of *justification*, which occurs when people come to faith.³⁴ This is the moment when righteousness is reckoned to us, and our debts removed. But if that is so, then our personal demerit is removed at that point. It is not removed at the cross.

This, though, could seemingly also apply under the satisfaction-penal account of the second form, where Christ bears alienation from God, for one can also see Christ as taking away, or *bearing away*, the burden of our sins, that is, of all those who come to call on God for forgiveness. God *lays on Christ* the burden of the legal responsibility to deal with our sins. Under this account, there is a different notion of bearing sin, one which is not tied into the individual guilt of each person, but there is still a real sense in which Christ takes on himself the burden of dealing with our sins, and it is also true that our own burden, or demerit, can only be taken away when we turn to God and ask for forgiveness. Personal demerit is thus also not removed at the cross, but at the time of turning to Christ. It is not clear that the scriptural imagery Berkhof alludes to, cannot apply to Christ in this alternative notion of a penal theory. Where Christ has promised that if we come in repentance and faith to him (which would, I suggest, have been a requirement for the sacrifices under the Old Covenant) he will forgive and bless, then this can occur under this alternative penal theory account. Significantly, however, the mechanism involved with satisfaction-penal theories based on merit-demerit “transactions,” would not of itself rule out the notion that full imputation, based on Christ’s righteousness being imputed to one, could not

³² A similar charge could be levelled at me for naming satisfaction theories as satisfaction-penal theories. Such renaming would only be supportable if indeed Christ does bear a penalty in these theories.

³³ There are also questions about what happens when believers sin and need forgiveness, which I cannot go into here, other than noting that some Protestants appeal to the notion that whilst our legal demerit is removed, we still need to seek forgiveness so that our fellowship with God is restored.

³⁴ See, for example, Romans 3:26.

be granted under some scenarios when people turn to Christ. For example, where it is guaranteed that God will bring someone to full sanctification, as in the Reformed tradition. Then, when our full legal demerit is removed at our initial turning to God, one could refer to Christ as having borne the responsibility on the cross to pay the penalty for human sin sufficient to irrevocably bear away our demerit when we turn to him and be credited (or imputed) with his righteousness. As such, there could be a satisfaction-penal theory, or theories, compatible with a Protestant notion of justification by faith alone. The language of “He bore my sins” does not seem inappropriate here.

8. A Key Underlying Difference

I take it as obvious that satisfaction-penal theories are fundamentally about *reparation* or *compensation* being central to how divine retributive justice is met, whereas penal substitution theories are about how Christ’s *punishment* meets divine retributive justice and involve some notion of imputation of our sin onto Christ. On the latter point there can be different accounts of imputation, but I suggest that penal substitution accounts rely on a different notion of the offering made to God, even if they may differ on imputation. For example, William Lane Craig has recently offered a major defence of penal substitution, but with a distinct account of imputation, one which does not involve a transfer of liabilities. Craig has suggested that the liability to punishment of people can be *copied* or *replicated* onto Christ, but not transferred, in the sense that Christ still bears punishment for sin, but the legal liability of individuals are not removed. To make his case Craig draws on detailed legal analogies regarding notions of vicarious liability. It is his view that ‘the defender of the doctrine of imputation does not hold that when my guilt is imputed to Christ, it is thereby removed from me. Guilt is merely replicated in Christ, just as, according to the doctrine of original sin, Adam’s guilt was replicated in me, not transferred from Adam to me.’ (Craig 2020, 187). For Craig, Christ’s sacrifice remains one of infinite value, and Christ offers this to the Father. This procures a pardon for all people, according to Craig (2020, 235; 237), but this pardon can be rejected.³⁵

However, it remains a critical feature of Craig’s account, as also with Berkhof, that the infinite dignity of Christ is fundamental to the value of the punishment he bears. For example, Craig says that “While Christ’s punishment was not

³⁵ A potential problem here is that removing the link with Christ’s punishment attached to specific individual legal liabilities, would seem to entail that Christ is no longer strictly a *personal* penal substitute. Christ is then a kind of global substitute, making it “unclear how Christ is a substitute for individual debts of punishment logically connected to agent-violators of the moral law,” according to Farris and Hamilton (2021, 266)—which seems to be a requirement for a penal substitution theory.

infinite as to duration, still in its intensity it was equivalent to the eternal suffering of the damned in hell on account of the infinite dignity of the person suffering" (Craig 2020, 209). Here Craig sees himself as aligning with the position of Turretin (the prominent Reformed defender of penal substitution) whom Craig had earlier expounded along these lines (e.g. Craig 2020, 134). Here, then, we see penal substitution theorists with different accounts of imputation still appealing to the infinite dignity of Christ's person as critical to his death being of infinite value.

This brings us to what I suggest is a key underlying difference between penal satisfaction and penal substitution theories. It is about what is *offered to God*. In both satisfaction-penal and penal substitution accounts appeal is made to the infinite dignity of the Son of God. But under a satisfaction-penal account, Christ bearing the required penalty is *of itself* not the main feature of what can be offset against the demerit of sin. The penalty must be borne, but it is the loving obedience of Christ in offering himself to bear the penalty, which seems vital.

What is offered to God? *Broadly speaking*,³⁶ I suggest that in substitution-penal theories it is Christ offering *himself*—in loving obedience to bear the legally required penalty. In penal substitution theories, however, what is offered is the infinite value of the punishment. In both accounts the offering is one of infinite value. Traditional penal theorists, such as Berkhof, based on *the infinite value of the punishment*, say that Christ made an offer of infinite merit which can be used to offset the demerit of sin. In satisfaction-penal theories, by contrast, the offer is of infinite merit because the Son *offers himself, in love and obedience, to bear the legally required penalty*. I think that this is a key difference between these two types of accounts.

Beyond that, though, one needs to probe further as regards satisfaction-penal theories. Granted that it is true that in such theories what counts is Christ's infinitely valuable offering of love and obedience, this does not of itself clarify why an infinite offering of love, or indeed of Christ himself, attached, say to, Christ's suffering and death, is not sufficient, if, for example, Form 2 (with Christ also bearing divine alienation) rather than Form 1 was in fact the penalty Christ suffered. There must be some other difference.

³⁶ I lack space here to comment on the distinction in Reformed theology between Christ's active obedience, relating to his obedience throughout his life, and his passive obedience, bearing the penalty for sin on the cross. In such theology, the former does contribute towards our salvation, being the basis of Christ's righteousness reckoned to Christians. But it does not appear to be part of the *offering* of Christ as regards Christ paying our debt. On the active/passive distinction, see Berkhof (1996, 380–2) and for a fuller historical summary, see Heppe (1950 [1861], 458–467) Ch. 18, §§16–20.

As we have seen, some satisfaction-penal theories do allow for *some experience* of divine wrath, or divine alienation. But Christ's sufferings here are finite, rather than infinite, with reparation remaining the key feature. There is, though, a point made by Craig which needs a response. He says that:

it is hard to see how divine justice could be satisfied by Christ's voluntarily taking suffering upon himself if it were not a punishment meted out for our sins . . . If the suffering or harsh treatment is not punishment, then the demands of retributive justice seem to go unsatisfied. (Craig 2020, 196)

Satisfaction-penal theories, however, allow that Christ bears a penalty in which he incurs suffering, so there is a punitive element in what occurs; the reparation is not just about paying a kind of pecuniary debt. But punishment is not of infinite value in satisfaction-penal accounts. Christ still meets retributive justice (as I have deployed the term, in line with Crisp) because the suffering he bears is what God judges necessary for Christ to make a *fitting* reparation.

The sufferings seem *intrinsically linked* to Christ completing the perfection of his offering of himself in loving obedience to God in bearing the penalty. It is this perfection which is so valuable to God—because of the dignity of his Son who bears this suffering. But the choice of the penalty is surely not arbitrary. Evaluating what God *judges* to be the intrinsically fitting penalty, whether a Form 1, or Form 2 satisfaction-penal theory (and so on) would seemingly have to rest on a scriptural defence of what God in fact appears to have done, allied to some defence of what thus seems to have been intrinsically fitting. For example, death, even including tasting the “spiritual death” of divine alienation may intrinsically fit in with God's condemnation of sin, as also a requirement to defeat the powers of darkness. If so, then love and obedience alone, even of the Son, may not suffice as the full criteria for what God requires. It must be the specific kind of love and obedience involved in the offering of himself to bear what God judges to be the intrinsically fitting penalty for his Son to be the Mediator between God and humanity.

Appealing to the notion of an intrinsically fitting penalty is, of course, open to the criticism that one is left with mystery just when one hoped for a definitive explanation. Against this, other than the point that it may simply be the case that mystery will always remain, one might appeal to a strength of satisfaction-penal theories, which is the weight they give to the loving obedience of Christ and the offering of *himself*. For if it was the disobedience of Adam that brought condemnation, it is surely the obedience of Christ that is fundamental to atonement (Rom. 5:19).

A further point can be made here. For if God requires Christ to overcome the powers of darkness in some maximal way, and if that can only occur in the

“place” of “outer darkness” this seemingly must involve a form of *pushing away* to outer darkness (a point I referred to in section 6). The notion of God “striking the shepherd” (Matt. 26:31; Zech. 13:7) would surely be relevant here. But note that that in this situation *Christ’s suffering a penalty involves no further suffering than would be required to overcome the powers of darkness*. A form of penal theory and a Christus Victor theory would then overlap in a distinctive satisfaction-penal theory, thus also incorporating a merit-based account: God judges that Christ’s loving obedience, as our representative, in bearing both the condemnation of being “pushed away” to outer darkness (something we clearly deserved on a retributive account) and the winning of a maximal victory over the powers of darkness, is infinitely meritorious and thus the basis for forgiveness and freedom for all who turn to Christ.

This clearly merits further research. So too for other issues. For example, one might allow that there can be a legal relaxation so that what Jesus suffers can be reduced because of his offering *himself*, the One of infinite value, in infinitely meritorious loving obedience in bearing the penalty determined by God. This might also be linked to the idea that Christ himself brings a power of life to the realm of death such that death could not hold him (cf. Acts 2:24).³⁷ This too seemingly entails that his sufferings were finite. These notions would be compatible with a satisfaction-penal account, where Christ’s sufferings are finite. Indeed, for those who accept that some form of divine alienation is experienced by Christ, these ideas would seem to give some additional explanation of why Christ’s sufferings were finite. But even then, mystery would remain, in that God ultimately judges what is the *fitting* reduction of Christ’s sufferings, and an account of what God regards as fitting here may ultimately elude us.

9. Conclusion

I began by drawing on Crisp’s summaries of Anselmian and Aquinas-type atonement accounts, as well as commenting on Crisp’s vicarious penitence account. Drawing on the structures identified in Crisp’s analyses, I developed an attempted proof that all those satisfaction theories of the atonement within Christianity which specifically relate Christ’s suffering and death on the cross to satisfying divine retributive justice, are penal theories. I identified a sub-group of penal theories: satisfaction-penal theories. I have endeavoured to clarify some key features of satisfaction-penal theories as well as some differences compared to penal substitution theories.

³⁷ For example, see the comment of William Ames that “There was in Christ both a worthiness and a power to overcome, as it were, the punishment imposed.” (Ames 1968, 142, ch. 22.4).

I noted that the first form of satisfaction-penal theories, both Anselmian and Thomistic (at least as interpreted by Crisp), are both a form of penal theory. I suggested the term, ‘satisfaction-penal theories’ because Christ satisfies divine justice through bearing a penalty. This is also appropriate for the other forms of satisfaction-penal theories set out earlier. I have reflected in some detail on the second form, where Christ suffers divine alienation and death. The third form includes Christ apologising on our behalf, and the fourth includes *Christus Victor* components. I have also suggested that there could be a satisfaction-penal theory (or theories) compatible with a Protestant notion of justification by faith alone.

I have explored important aspects of penal substitution theories in trying to clarify differences between them and satisfaction-penal accounts. The former focus on Christ being punished, the latter on Christ making some form of reparation or compensation to God, but where Christ is required to bear a penalty. I noted that both forms seem to rely on a notion of the infinite dignity of the Son of God as critical in making his atoning work of infinite value or merit. A key underlying difference relates to what is offered to God. In penal substitution theories what is offered is the infinite value of the punishment. In substitution-penal theories it is Christ offering *himself*—in loving obedience, but where this apparently has to be the kind of loving obedience intrinsically related to the relevant penalty.³⁸

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³⁸ I am most grateful for the constructive comments of two reviewers.

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